

**WASHINGTON COUNTY PLANNING COMMISSION  
WORKSHOP MEETING – December 14, 2009**

The Washington County Planning Commission held a workshop meeting on Monday, December 14, 2009, at 3:00 p.m. in the Washington County Administrative Annex, 80 West Baltimore Street, Hagerstown.

Members present were: Chairman George Anikis, Terry Reiber, Clint Wiley, Linda Parrish, Sam Ecker (arrived at 4:45 p.m.) and Ex-Officio James Kercheval. Staff members present were: Chief Planner Steve Goodrich, Senior Planner Jill Baker, Planner Fred Nugent, and Administrative Assistant Debra Eckard.

**CALL TO ORDER**

Chairman George Anikis called the meeting to order at 3:10 p.m.

**DISCUSSIONS**

**Continued Discussions of the Proposed UGA Rezoning**

Mr. Goodrich began the workshop with a review of the PI - Planned Industrial zoning district. He noted that the Comp Plan is the guide that Staff is following when preparing the proposed text for the UGA rezoning. On page 277 of the Comp Plan relative to the urban design standards in the Zoning Ordinance, it is stated, "Within the text of new or modified zoning designations associated with the urban area, substantial recommendations for design guidelines changes will be made. The theme will be to seek a higher level of design for improved function, compatibility and aesthetics. It is the desire to develop design standards in the urban area that will promote a high quality of living environment, personal and community fulfillment, accessibility of public services and cost effective public improvements and environmental protections."

Mr. Goodrich stated that Staff has been making changes in order to be able to apply the PI zoning district on targeted properties. The Commission reviewed the proposed text of the first three paragraphs in the PI zone. Mr. Goodrich noted that the intent of the PI zone is for an industrial park where multiple lots and multiple industries are located. The Commission reviewed the permitted and prohibited uses of the PI zone. It was noted that sawmills would not be permitted in the PI zone unless it is located within a completely enclosed structure with no outside storage of pre or post processed lumber. Commission members discussed the storage of pre or post processed lumber outside, which they do not believe is objectionable; however, they were opposed to the storage of waste materials, such as sawdust, outside.

- **Consensus:** The Planning Commission recommends for Section 18.2(f) the following: Delete the words "with no outside storage of pre or post processed lumber".

Mr. Goodrich noted that drive-thru services are not a permitted use in the PI district. He briefly reviewed the language that is proposed for agriculture as an interim use. It was noted that the time period for an animal husbandry facility to begin operation after being shut down has been extended from 6 months to 3 years. This was a recommendation from the UGAAC.

The Commission began reviewing the development procedures in existing and new PI districts. Mr. Goodrich briefly explained each of the three categories and showed members areas on the map that are being proposed for new PI zoning districts. Mr. Kercheval expressed his concern regarding piece-meal development. Mr. Goodrich believes that a slight change to the language may be necessary to indicate the accumulation of three lots or more in Section 18.4.B.1.

Mr. Goodrich reviewed the buffering criteria of outdoor storage and Mr. Reiber asked if the requirement for vinyl fencing should be addressed. The intent of the language is to provide a complete visual screen. Members expressed their opinions that fencing should be maintenance free and made of materials that will last a long time.

- **Consensus:** The Planning Commission recommends changes to the language to insure the screening shall be constantly maintained.

The Planning Commission began its review of the building design guidelines for the PI zone. Staff's proposed guidelines (page 12) were reviewed first. These guidelines were a compilation of several jurisdiction's guidelines. Mr. Goodrich noted that the UGAAC recommends the deletion of the first sentence in Section 18.84 which states, "The Planning Commission shall not approve or deny the exterior appearance of structures in an industrial park."

Mr. Kercheval made an inquiry regarding requirements for noise in the PI district. Mr. Goodrich noted that some noise requirements are addressed in Section 18.83(B) and further addressed in the ORI zoning district as taken from Frederick County's Ordinance with specific numerical references. Mr. Kercheval expressed his concern for noise from industrial sites next to residential areas. Mr. Reiber expressed his opinion that there should be some requirements for noise levels in the PI zone. Specific numerical standards or hours of operation could address the issue. Several members expressed their opinion that the noise restrictions in the PI zone should apply to areas that are adjacent to residential uses only.

- **Consensus:** Mr. Goodrich will prepare language to address noise levels next to residential properties using restrictions based on hours of operation and adjacent land uses.

Mr. Anikis asked if there are height and width limitations for freestanding signs in the PI district. Mr. Goodrich stated there would be a 35-foot height limitation. All existing sign requirements would apply.

The Commission began its review of Article 19A, which is currently the HI-1 – Highway Interchange 1 zone and is proposed to be renamed HC – Highway Commercial zone. In Chapter 12 of the Comprehensive Plan specific guidance for changes to this zoning district is discussed. The Comp Plan states, “Redesignate the Highway Interchange District to the Highway Commercial district with the main difference being the elimination of industrial restricted uses as permitted uses in the zone.” Commission members reviewed the purpose statement and the principal permitted uses, including language for agriculture as an interim use. Mr. Goodrich pointed out proposed language with regard to the site plan review and signage in the HC zone. He reviewed the design guidelines that are proposed and maintenance of vacant buildings. There was a brief discussion regarding a change to the height limitation of signs. Mr. Anikis questioned if the height limitation should be increased so applicants would not have to continue to go to the Board of Zoning Appeals for a variance. Mr. Kercheval believes that the State Highway Administration has a limitation on signs.

There was a discussion regarding the limits on the amount of retail uses in the HC zone. Mr. Goodrich noted that zoning must be applied evenly across the district and the amount of retail cannot be limited by a percentage over the entire zone. It may be possible to limit retail uses by a percentage on individual parcels; however, smaller parcels could be limited to an extent that would not be feasible. Retail uses could be limited in multi-use buildings. Mr. Kercheval expressed his concern regarding too many retail businesses on prime land next to the interstate. He believes that some of this land should be reserved for higher end development, such as the ORT zone. Mr. Goodrich stated that the assignment of the zone would be a better way to regulate the zoning at interchanges.

The Planning Commission began its review of Article 21 – Airport (AP) zoning district. Mr. Goodrich stated that the Airport district has two purposes: to provide a place for land uses or services that need to be close to the Airport and to protect the Airport from incompatible land uses. These purposes are accomplished by the use of four zoning designations. The first zone is called the AP/C (Airport Clear Zone), which is an overlay zone that places height restrictions on uses permitted by the underlying zoning district and prohibits the construction of buildings within a designated area at the end of the Airport runway. The second zone is called the AP/O (Airport Overlay Zone) is intended to reduce the limiting effects on Airport operations and improvements that incompatible development can create. The overlay limits the density of residential development within its boundaries and has different requirements determined by location in the UGA or the rural area. The third zone is the AP district, which is the traditional zoning classification that regulates land use. The last zone is the AP/HW – Airport Hazardous Wildlife Management District. The UGAAC recommended that the name be changed to the Airport Hazardous Wildlife Attractant Management District. This zone is intended to manage wildlife and the hazards they create around the Airport. Mr. Goodrich pointed out each zoning district on a map. Mr. Anikis suggested that the text should be changed to first define the Airport district and then define each of the three overlay zones.

Mr. Goodrich pointed out that language has been added to clarify that the Board of Zoning Appeals may not grant a variance from the height restrictions of the AP/C zone. He reviewed each of the overlay zones with the Commission members highlighting significant points in each zone. In reviewing the AP/O zone, Mr. Goodrich described the district boundaries and how they were established. He stated that the overlay zone was already in place in the rural area. Additions were made to the language to better define the clear zone and restrictions were added for the growth area, which includes no mixed use development and therefore no high density development. Mr. Goodrich noted that the boundary is based on FAA recommendations and the Airport master plan recommendations to limit specific types of development around the Airport within a certain distance and limit the negative effects of airport noise on those uses.

Mr. Goodrich began a review of the Airport district, which is the traditional land use zoning classification. The Commission briefly reviewed the list of principal permitted uses, special exception uses and prohibited uses. The final zone to be reviewed was the AP/HW zone. The intent of this zone is to manage uses that might attract wildlife and create hazards for aircraft operations. Staff relied on the FAA Advisory Circular 150/5200-33B to define the area shown on the map.

The Commission moved on to the review of Section 21.6 relative to site plan review. Mr. Goodrich stated that the purpose of the site plan review is to receive input from the Airport Director according to a specified set of guidelines and to help the Planning Commission to review development around the Airport and eliminate hazards when possible. Members of the Commission voiced their concerns with regard to the current farming operations around the Airport and the restrictions they believe are being put on these operations for expansion and continuation of operations. Mr. Goodrich explained that the Advisory Circular and the proposed language do not disallow agricultural uses outright; however, it creates the opportunity for review and adjustments to the use in order to limit the hazardous attractants. He also noted that current farming operations can continue and will not be affected by the new guidelines unless permits are required in the future. Members expressed their opinions that the proposed five mile radius is too large of an area to try to control. They discussed alternatives to the five-mile radius and height restrictions. Mr. Reiber asked what the impact would be on the Airport if the radius is changed from five miles to three miles.

Mr. Ditto, a member of the UGAAC, was present at the meeting and stated that he has prepared an alternative proposal. He expressed his opinion that no matter what precautions are taken in Washington County, it will not make a difference because the five mile radius extends well into Pennsylvania.

Mr. Anikis asked Staff to provide additional information with regard to the following: 1) Is the Airport Director concerned about any grants that could be endangered if the five mile radius is not met; and, 2) What does the Airport currently do with regard to bird mitigation? Mr. Anikis asked Commission members to review Mr. Ditto's alternative proposal and be prepared to discuss it at the next Workshop meeting.

#### **UPCOMING MEETINGS**

1. Planning Commission Workshop meeting, Monday, January 11, 2010, 3:00 p.m., Washington County Administrative Annex, 80 West Baltimore Street, Hagerstown
2. Planning Commission Workshop meeting, Monday, January 25, 2010, 3:00 p.m., Washington County Administrative Annex, 80 West Baltimore Street, Hagerstown

#### **ADJOURNMENT**

The Chairman adjourned the meeting at 5:55 p.m.

Respectfully submitted,

---

George Anikis, Chairman