

WASHINGTON COUNTY PLANNING COMMISSION WORKSHOP MEETING – January 25, 2010

The Washington County Planning Commission held a workshop meeting on Monday, January 25, 2010, 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 and Linda Parrish. Staff members present were: Planning Director Michael C. Thompson, Chief Planner Steve Goodrich, Planner Fred Nugent, and Administrative Assistant Debra Eckard.

CALL TO ORDER

Chairman George Anikis called the meeting to order at 3:00 p.m.

DISCUSSION

Continued discussion of the proposed UGA Rezoning

Mr. Goodrich began with an issue previously discussed regarding buildings in the ORT zone that would have restrictions on retail use on the first floor. Members expressed their opinions that the current numerical standards were too restrictive. Mr. Goodrich referred members to Article 21A.3 (Accessory uses). He cited standards from other jurisdictions including Frederick County and the City of Hagerstown. The Frederick County Zoning Ordinance references Accessory Uses in Commercial and Industrial districts, which states that 25% of the floor area of the first floor of the main building used for manufacturing, storage or distribution may be used for retail sales of the articles made on site. Mr. Goodrich does not believe this is a good example because it does not address the same issues. Frederick County does not have limitations in mixed use buildings where the majority of the building will be used for offices. In the Light Industrial zoning district in Frederick County, vocational or sports training in health clubs or fitness centers are allowed in a mixed use building but they are not allowed to be the sole use in the building. Mr. Goodrich stated he could not find any other references in the Frederick County Ordinance.

Mr. Goodrich stated that the City of Hagerstown {City} Zoning Ordinance addresses the mixed use issue more thoroughly. The City has two mixed use zones, one in the downtown area and one is a neighborhood zone. The City limits the gross square footage of commercial uses in the neighborhood mixed use district to 15,000 square feet. In the mixed use neighborhood district, new construction of commercial use is limited to the first floor. In existing buildings, commercial uses may be located on upper floors; however, commercial uses cannot exceed 20% of the entire development. The City also has a Professional Office Mixed (POM) district and certain identified uses cannot exceed 25% of the gross floor area of the building or 20% of the gross floor area of a group of buildings. The POM district allows child or day care services, dry cleaning, fitness and recreational sport centers, restaurants, retail trade and specialty food stores. The City also has an Industrial Mixed Use district, which has the same limitations and uses as the POM district; however, a building devoted entirely to retail is not permitted. In the City's PUD zone, which is applied to an existing residential district, the least intense commercial uses are permitted. In a PUD which is applied to an existing residential commercial zone, the commercial uses are limited to those permitted in the base zone and the commercial uses may not exceed 10% of the entire tract of land. The City has a Conversion district, which is a special use zone that encourages the use of existing buildings for redevelopment allows mixed uses. Commercial uses may not exceed 50% of the building space.

Mr. Goodrich noted that the purpose is to allow the employees of the professional offices access to commercial uses. Mr. Reiber expressed his opinion that the first floor retail uses should not be limited in this zoning district. He also suggested that the second floor of multiple story buildings could be used for fitness clubs or day care services. Mr. Anikis asked what type of uses should be discouraged that would not support the zone. Mr. Goodrich stated that there is concern that uses could be incompatible or inconsistent with the overall intent of the zone, which is to provide a high concentration of employment. Ms. Parrish expressed her opinion that there should be some restrictions on the uses that would be allowed.

- **Consensus:** The Planning Commission recommends that the numerical standards be eliminated from the ORT zoning district's accessory uses.

Commission members began a review of the accessory uses permitted in the ORT zoning district and the phrase "functionally similar". The Commission did not believe that any changes in the accessory uses should be made at this time.

The Commission began its review of Article 22, Division 10 (Lighting). Mr. Goodrich stated that there are currently no design guidelines for lighting in the County's Zoning Ordinance. He stated that the purpose for this section is to "encourage good lighting practices that promote safety, security and energy conservation by reducing the impacts of glare, light trespass and overlighting". The Commission reviewed each section of the lighting standards with Mr. Goodrich highlighting several important factors. Mr. Anikis asked for the definition of a footcandle. Mr. Goodrich stated that the term "footcandle" is somewhat obsolete and the current terms "lux and lumine" are more accurate. He noted that a

“footcandle” is the amount of a light that a candle would project onto a square foot of flat surface. Mr. Goodrich stated that during the public hearings staff will provide a physical representation of a footcandle. Mr. Reiber asked how lighting is measured. Mr. Goodrich stated a light meter would be used and if the lighting section is adopted, the County would need to purchase a light meter and Staff would need to be trained in the use of the meter. Following a brief discussion, Mr. Anikis suggested that staff should use the language used most often on plans today. Members discussed various ideas for illustrating lighting during the public hearings.

Mr. Anikis expressed his opinion that Item D (Lamp Wattages) is design standards and not performance standards. Mr. Goodrich explained these standards are the most up-to-date standards used by other jurisdictions. Members discussed changes in the future that could be better for the environment and use of those improved materials. It was suggested that language should be added to allow for advances in technology.

Mr. Anikis suggested that under the category “Measurements” the following text (shown in bold) should be added to no. 1 to read as follows: “Lighting levels are to be measured in footcandles with a **certified calibrated** direct-reading portable light meter.” He also suggested under the category “Submittal Requirements” the phrase “lighting plan” should be changed to “**photometric plan**”.

Mr. Thompson made an inquiry regarding the height limitations on parking lot lighting in residential developments with townhouses and/or apartment complexes. Mr. Goodrich stated there are some guidelines on parking lot lighting regardless if it is in commercial or residential areas. He noted that Staff will make sure there are provisions for parking lot lighting for residential areas.

Ms. Parrish questioned the restrictions on lighting and expressed her concern that the standards may be too restrictive in parking lots so that customers would not feel safe. Mr. Wiley asked if these standards would regulate only the lighting in commercial areas. He expressed concern for areas of residential development where lighting is very limited. Mr. Goodrich stated that the lighting standards would apply whenever a site plan is required, which would be for industrial, commercial and multi-family development. Street lights in residential neighborhoods are controlled by the Subdivision Ordinance. Mr. Anikis suggested that the Sheriff’s Department should review the standards from a safety standpoint. Members briefly discussed lighting in residential developments and the need for additional standards in the Subdivision Ordinance.

- **Consensus:** The Planning Commission recommends that Staff review lighting standards from other jurisdictions with regard to residential areas and consider changes to the County’s standards in the Subdivision Ordinance.

Commission members briefly discussed the time limitations for recreational facilities proposed by the UGAAC. Mr. Wiley noted that there may be special occasions when the time limitation would not be appropriate and suggested that special exceptions could be granted on a case-by-case basis. Members believe that would be appropriate for the professional baseball/football fields. However, they suggested waiting for public comment on the other uses.

Members discussed sign lighting with specific attention on signs with LED lighting that continually change the message (example used was a sign on Leitersburg Pike). Mr. Goodrich believes that these types of signs would be prohibited under Section 22.105; however, this issue may need to be reviewed and changes made to Section 22.105. He believes that these types of signs should be prohibited in areas where they would be a distraction to motorists. There was a discussion regarding internally lit signs and temporary portable signs. Ms. Parrish used the sign at the Paramount Baptist Church as an example. Mr. Goodrich stated that the County is proposing language to regulate portable signs and vehicles being used as sign display areas within the sign section of the Ordinance. He believes that signs, as mentioned by Ms. Parrish, were inadvertently missed. He suggested that Staff should re-evaluate the Prohibited Lighting section and propose different language.

There was a brief discussion regarding Section 22.106 (Exempt Lighting) and the UGAAC’s recommendation to remove “single and two family (duplex) dwellings” from no. 1. Mr. Goodrich noted that the reason for this recommendation was based on a specific incidence that was discussed. The UGAAC believes that residential uses should not be exempt from lighting standards. Mr. Wiley noted that site plans are not required for the residential uses specified in no. 1.

[The Planning Commission took a five minute break]

The Planning Commission began its review of the proposed Landscaping, Screening and Buffers section of the Ordinance. Mr. Goodrich stated that the Comp Plan recommends improved standards for landscaping, screening and buffers. He highlighted important factors throughout a complete review of this section. Mr. Reiber expressed his opinion that trees that are removed should be replaced with trees of the same kind and of a substantial size [i.e. do not remove a large tree and replace with a seedling]. Mr. Goodrich explained that materials that are removed are not always available for replanting. However, the proposed replacement materials should be comparable and will eventually produce the same type of forest cover. Mr. Reiber asked if landscaping could be credited toward forest conservation requirements. Mr. Goodrich stated that forest conservation requirements could be credited toward landscaping requirements; however, the landscaping guidelines are designed more for aesthetic purposes.

Members began a discussion regarding the landscaping design standards, which are separated into three categories. Mr. Goodrich began with an explanation of the perimeter landscaping and briefly described different scenarios that would allow for each type of perimeter landscaping. Ms. Parrish asked if this would restrict the Commission from requiring additional landscaping. Mr. Goodrich stated that it would restrict the Commission; however, the proposed guidelines give developers a requirement that must be met. Members discussed making the guidelines the “minimum” guidelines that could be increased if the Planning Commission believes additional landscaping is appropriate and could be determined on a case by case review. Mr. Reiber questioned if the proposed guidelines are encouraging “going greener”. Mr. Goodrich stated that maximum permitted impermeable surfaces have been reduced in several of the industrial districts, which would have that effect.

- **Consensus:** The Planning Commission recommends that item G.1 and G.2 should be revised to include language that implies, “These are the minimum landscaping design standards. The Planning Commission may increase or reduce the minimum guidelines for landscaping”.

Mr. Goodrich began reviewing the parking area landscaping requirements. He noted, “all off-street parking areas of 10,000 sq. ft. or greater shall have landscaped areas which constitute a minimum of 10% of total impervious area of the parking facility.” This is an increase from the current 5% minimum. Ms. Parrish expressed her opinion that if the parking area is pervious there should not be any landscaping required for the parking area. Mr. Goodrich stated that the primary goal of the islands in the parking lots is to break up the massive expanse of macadam and provide shading to reduce the heat from the macadam and places for water run-off, etc. Pervious pavement provides infiltration; however, there is still a need to provide the aesthetic and heat reduction benefits of landscaping in parking lots. There was a brief discussion regarding the different types of pervious materials that can be used for parking areas. Ms. Parrish expressed her opinion that if the parking areas are permeable, the restrictions are unnecessary because they are moving towards a “green” environment. She also noted that permeable surfaces are more expensive to install and adding landscaping requirements increases the cost even more. Mr. Goodrich reiterated that the reason to have landscaping within the parking areas is to make it more aesthetically pleasing by breaking up the great expanse of a parking lot even if the surface is completely permeable. Mr. Anikis asked why landscape islands would be required every 15 spaces. Mr. Goodrich explained that this is a guideline for developers. Mr. Thompson suggested adding language as previously discussed for Item G.1 and G.2 regarding minimum standards [see the Consensus decision above].

- **Consensus:** The Planning Commission recommends adding the above language for all of the landscaping design standards.

OTHER BUSINESS

Mr. Goodrich discussed with the Commission different methods for reviewing the UGA map during the next meeting. He stated that the UGAAC discussed 37 individual sites at great length and included a map and a chart in its report to cover those areas. After a brief discussion, the Commission decided to use the UGAAC’s individual sites recommendations and maps 1 and 2 in the book. There was a brief discussion regarding other areas in the UGA and the zoning on those properties.

The Commission discussed upcoming meeting dates and tentatively decided to meet on Monday, February 15th and 22nd from 3:00 to 6:00 p.m.

ADJOURNMENT

The Chairman adjourned the meeting at 6:10 p.m.

Respectfully submitted,

George Anikis, Chairman