

**WASHINGTON COUNTY PLANNING COMMISSION  
WORKSHOP MEETING – April 5, 2010**

The Washington County Planning Commission held a workshop meeting on Monday, April 5, 2010, in the Washington County Administrative Annex, 80 West Baltimore Street, Hagerstown.

Members present were: Chairman George Anikis, Linda Parrish, Sam Ecker, Terry Reiber, Clint Wiley and Ex-Officio James F. Kercheval. Staff members present were: Planning Director Michael C. Thompson, Chief Planner Stephen T. Goodrich, and Administrative Assistant Debra Eckard.

**CALL TO ORDER**

Chairman George Anikis called the workshop meeting to order at 7:14 p.m.

**Continued Discussions of the Proposed Urban Growth Area Rezoning**

**- Proposed Text for Recycling Facilities**

Mr. Goodrich began the workshop with discussions relative to proposed text to be added to the Zoning Ordinance with regard to recycling. Currently, recycling facilities are a permitted use in the Business General zoning district. Following discussions at the last Workshop meeting, Mr. Goodrich further researched recycling facilities in other jurisdictions including Los Angeles County, California, Denver, Colorado, Tampa, Florida, etc. Mr. Goodrich explained that he has written language to define recycling and recycling facilities, which he included in the member's Agenda packets. Staff recommends that recycling facilities should be a permitted use in the Industrial Restricted and Industrial General zoning districts.

Ms. Parrish asked if Staff has contacted Frederick County where recycling is currently in practice to seek recommendations or changes they would make to their guidelines or policies. Mr. Goodrich stated he would contact representatives from Frederick County to discuss this issue.

Mr. Kercheval read the statement, "There shall be no waste products of any kind (solid, liquid, or gaseous) permitted on the exterior of the building or on the site. A recycling facility may be considered an accessory use on the site of a sanitary landfill." He questioned if the storage of materials at the landfill must be inside a building and noted that currently there are many items stored in piles outside (iron, appliances, wood, etc.). Mr. Goodrich stated that an adjustment could be made in the language relative to a recycling facility as part of a landfill.

Mr. Kercheval began discussions regarding outside dumpsters with regard to the language "no waste products of any kind". Mr. Goodrich stated that a dumpster for waste disposed by employees at a site should be viewed differently from a dumpster on a site where people can come to the facility and dump trash to be recycled. Trash to be recycled should be enclosed in a building. Mr. Kercheval questioned the recycling dumpsters located around the County. Mr. Goodrich noted these dumpsters would be considered as a collection point, which is not included in the proposed definition and regulated by the Zoning Ordinance. Mr. Goodrich noted that keeping the outside of a recycling facility as clean as possible makes the use more desirable around other industries.

Ms. Parrish expressed her opinion that more clarification is needed. Mr. Wiley expressed his opinion that the language used in the Denver Ordinance more clearly defines a recycling collection station. He believes that language to define a recycling collection station should be added to the proposed text.

There was a brief discussion regarding the licensing of recycling facilities. Mr. Anikis asked if requiring a license would deter businesses from locating in the County. Mr. Goodrich believes it would depend on several factors, such as the license fee, the process for obtaining a license, continuing inspections, penalties, etc.

- **Consensus:** The Planning Commission recommends the following issues to be addressed in the proposed language: include language for recycling collection stations (see language from Denver); outside storage of recycling waste at a landfill; and talk to Frederick County with regard to changes or recommendations they would include in their Ordinance.

**- Planning Commission member concerns of rezoning of properties**

Mr. Anikis began discussions regarding halfway houses for recently released prisoners and/or drug addicts entering rehab. He noted that the City of Hagerstown recently held discussions regarding this issue and questioned where these types of facilities would be permitted in the UGA. Mr. Anikis recommended that Staff contact the City of Hagerstown to see how they are handling this issue.

Mr. Kercheval began a discussion regarding libraries in business/retail zoning districts. He noted that there have been recent discussions with regard to housing the public library temporarily in a building located in the PB district. However, according to the Zoning Administrator and the County Attorney's office, libraries are not listed as a permitted use in the PB zone and there is currently no language in the PB zone for

“functionally similar uses”. Mr. Kercheval expressed his opinion that libraries should be permitted in business/retail zoning districts. There was a brief discussion regarding appropriate zones for libraries.

Mr. Goodrich informed Commission members that there are two small parcels of land near the Airport that Staff recommends should be included in the UGA and should be assigned the Airport zoning. He stated the parcels are located east of US Route 11 and north of the extended runway. The proposal reflects the Airport Director and Advisory Commission’s long range plans. Currently the properties are zoned agriculture and they are located outside of the UGA.

Mr. Anikis invited Mr. Jerry Ditto, a member of the UGAAC, to address the Commission with regard to the Airport Hazardous Wildlife Attractant Management Zone. Mr. Ditto began by referring to the “Alternative Proposal” that was included in the UGA Advisory Committee’s Report to the Board of County Commissioners. He stated that zoning regulations have been written that incorporates the FAA Advisory Circular, which he believes is detrimental to agriculture. Mr. Ditto noted that 1/3 of the dairy farms in the County are located in the five mile radius around the Airport and would be affected by the zoning regulations. He noted that approximately ½ of the five mile radius lies in Pennsylvania and 1/3 of the remaining area is within the UGA and the City of Hagerstown and questioned what measures are being taken to control hazardous wildlife in those areas. Mr. Ditto stated that the zoning regulations will affect animal agriculture at levels above 6,000 tons of manure generation. There are currently 7 dairy farms operating at or above the 6,000 ton limit. Mr. Ditto referenced sections from the Advisory Circular that recommends against agriculture within the five mile radius. He referenced sections from the Circular dealing with livestock operations within the separations and programs to reduce the attractiveness of sites that would attract bird species that are dangerous to aviation safety. Mr. Ditto pointed out that the Zoning Ordinance has standards for parking, lighting, landscaping, and industrial performance standards in the ORI zone. However, there is no performance standards for wildlife safety or bird attractions listed in the Circular or included in the zoning text of the Hazardous Wildlife overlay. Mr. Ditto asked how an applicant can prepare a plan or mitigate for wildlife hazards and apply for a permit without standards for guidance. In his opinion, “the Planning Commission would have to deny a permit based on the parameters listed in the FAA Circular”. Mr. Ditto noted that proposed language states, “The Planning Commission has the power to approve or disapprove” a permit; and in his opinion, as currently written, is inconsistent with the Zoning Ordinance in all other areas.

Mr. Ditto explained his “Alternative Proposal” to the Planning Commission. He stated that his proposal outlines a mechanism called a “working group” that can be instituted around the Airport within the five-mile radius to address wildlife concerns. He explained who would be involved in the “working group” and their responsibilities and procedures that would be followed. Mr. Anikis summarized Mr. Ditto recommendations as follows: delete the word “disapprove” as noted in the quote above, create a “working group”, and to delete references to the FAA Advisory Circular in the Zoning Ordinance.

**Discussion:** Planning Commission members did not believe they were prepared to discuss the information at this time and requested additional time to review the information. This item will be discussed during the next Planning Commission workshop scheduled on April 19, 2010 at 4:00 p.m.

## **- OTHER BUSINESS**

### **Long Range Transportation Plan**

Mr. Kercheval gave a brief summation with regard to the Hagerstown Eastern Panhandle Metropolitan Planning Organization’s (HEPMPO) Long Range Transportation Plan (LRTP). The Plan is currently out for public comment until April 16<sup>th</sup>. Comments can be submitted on-line at [www.HEPMPO.com](http://www.HEPMPO.com). Mr. Kercheval suggested some key elements that the Commission members may want to review including the “Unconstrained List of Projects”. The list includes proposed road networks that would help alleviate congestion around the County with growth over the next 20 years. Mr. Kercheval gave a brief explanation relative to the creation of the list of projects including the ranking system and models used.

Mr. Kercheval noted that even though projects are listed in the Plan under those anticipated for funding, it does not mean that the projects will get funded. This list should not be confused with the County’s Capital Improvements Plan. Mr. Kercheval briefly spoke to the Commission regarding lane miles for roads around the County and congestion issues on the interstates. He stated that, “based on a 1.1% population growth in the County over the next 25 years, congestion is projected to decrease.”

Mr. Kercheval noted there is a list of studies in the Plan, which includes the following studies for Washington County: Evacuation Plan, Regional Transit Study, Corridor Signalization Studies, Railroad Crossings Study, and Interstate Congestion Study. He briefly described the focus of each study and other issues that are discussed in the Plan.

## **- NEXT MEETING**

The Planning Commission will hold a Workshop meeting on Monday, April 19, 2010 at 4:00 p.m. in the Administrative Annex. An agenda will be forwarded to members prior to the meeting.

**- ADJOURNMENT**

Mr. Wiley made a motion to adjourn the Workshop meeting at 8:47 p.m. Seconded by Ms. Parrish. So ordered.

Respectfully submitted,

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George Anikis, Chairman