

## MINUTES

### URBAN GROWTH AREA ADVISORY COMMITTEE October 16, 2008

The Urban Growth Area Advisory Committee held a meeting on Thursday, October 16, 2008 at 9:00 a.m. at the Washington County Administrative Annex, 80 West Baltimore Street, Conference Room 1, Hagerstown.

#### CALL TO ORDER

In the absence of the Chairman, Mr. Goodrich called the meeting to order at 9:05 a.m.

The following members of the Advisory Committee and Washington County Staff were present:

- Mike Armel
- Jeff Cline
- Dennis Miller
- Hank Livelsberger
- Jerry Ditto
- John Shank
- Harry Reynolds
- Linda Irvin-Craig
- Donovan Corum
- Steve Goodrich
- Mike Thompson
- Debra Eckard
- Jennifer Kinzer
- Meghan Hammond

#### MINUTES

Mr. Ditto made a motion to approve the minutes of the October 2, 2008 meeting as presented. Seconded by Mr. Miller. Unanimously approved.

#### OLD BUSINESS

Mr. Goodrich announced that the Committee's Final Report of assigned Tasks 1 through 5 would be presented to the Board of County Commissioners on Tuesday, October 28<sup>th</sup> at 9:30 a.m. The Final Report was previously forwarded to the BOCC.

#### Continued discussion of Staff's zoning proposal

Mr. Goodrich introduced Ms. Kinzer, GIS Analyst, and Ms. Hammond, GIS Technician, with the County Planning Department. Ms. Kinzer and Ms. Hammond provided computer generated aerial photographs and mapping of several areas discussed during the previous meeting. The Committee began their discussion of the Martin Elevator ("Elevator") property (previously named Site 6) and the area immediately north of the Elevator (for purposes of these minutes will be named Site 8). Staff is proposing the RU (Residential Urban) zoning designation for Site 8 and ORT (Office, Research, Technology) zoning designation for Site 6. Mr. Goodrich noted that the ORT zone does not allow the use associated with the Elevator; therefore, the ORT zoning designation is probably not the best zoning designation for this site. There was a brief discussion regarding the current services performed at the Elevator. Mr. Ditto and Mr.

Shank stated that the Elevator processes feed for animals, sells fertilizer and chemicals, sells fencing and farm supplies, and they purchase, stockpile and sell grain, soybeans, corn, etc. Mr. Ditto expressed his opinion that the area between Interstate 81, Maugansville Road and the railroad would be a good location for a bio-diesel facility. Mr. Goodrich noted that the feed and grain selling, milling and storage is a special exception use in the Business General zoning district and flour or grain milling is a principle permitted use in the Industrial General zoning district. The use is allowed in the HI-1 zoning district because it is a special exception in the Business General zoning district. This property is currently zoned Agriculture and is a permitted use in this zoning district.

Mr. Goodrich expressed his opinion that the Elevator operations should be better defined in the Zoning Ordinance. He also believes a better zoning designation should be determined for this area. Members discussed an appropriate zoning designation and setback requirements associated with them. Members discussed revising the permitted uses and definition of the IG zoning district and where the other proposed IG zoning designations would be located in the County. Members also discussed bio-diesel facilities, where they should be permitted to locate, and if they should be considered a principle permitted use or a special exception.

- **Consensus:** The Committee recommends that Site 6 (including all lands owned by Martin Elevator east of the railroad and south of Mr. Dahbura's property) be zoned IG (Industrial General) and an amendment to the definition of the IG zoning district that would better describe the current use of the property is needed. The Committee also recommends that bio-diesel facilities should be a special exception use in the IG zone.

Discussions then focused on properties to the northeast of Site 6 currently owned by Mr. Dahbura and Orchard Business Park (for the purpose of these minutes will be known as Site 7), which are proposed for the ORT zoning. Mr. Ditto asked what the setback requirements would be for the IG and ORT zoning districts. Mr. Goodrich stated that a 100-foot setback would be required for the IG district next to a residential use. The ORT setback requirements would be a 50-foot front yard, and side and rear yard setbacks would be 25-feet except when they are next to a railroad and 100-feet when located next to residential uses. The Committee also discussed Site 8, which adjoins Site 6 to the north. Site 8 is currently proposed to be zoned RU (Residential Urban).

There was a brief discussion regarding residential uses close to the Elevator. Members believe that the Elevator would be categorized as a light industrial use and would not be offensive to the residential properties across the road and adjoining the Elevator.

Members then discussed the area north of Broadfording Road and south of Salem Avenue (for the purpose of these minutes will be known as Site 9). This area is currently zoned HI-1 (Highway Interchange 1); however, Staff is still trying to determine the appropriate zoning designation for this area and asked the Committee for their recommendations. Mr. Miller stated that the City has designated this property as Business Employment in their Comprehensive Plan. Mr. Goodrich explained that water service in this area is provided by the City of Hagerstown and sewer service is provided by the County. In order to receive water from the City, a Pre-Annexation agreement is required, which states that the property will be annexed into the City when the boundary is contiguous to the City's growth area boundary.

There was a discussion regarding the uses allowed in the Business General zoning district. Mr. Goodrich stated that the current HI-1 zoning district allows all business and light industrial uses. The HI-2 zoning designation is being eliminated entirely and the areas currently zoned HI-2 will be given new zoning designations. The Comp Plan recommends eliminating the light industrial uses from the HI-1 zoning district and renaming it "HC" (Highway Commercial) which will allow highway oriented business uses. Members inquired what zoning district would allow trucking uses, such as truck stops. Mr. Goodrich stated that truck terminals, warehouses and wholesale businesses would be allowed in the BG zoning district; however, truck stops are not an allowed use. The HC zoning designation would also allow truck terminals. Mr. Thompson suggested that the language of the zoning districts could be amended to allow or disallow specific uses.

After a brief discussion regarding changes to the language of the BG zoning district, Mr. Goodrich suggested that the Committee should look at all areas proposed for the BG zoning to determine if truck stops and/or truck terminals might be needed in these areas. He will prepare a map showing all of the proposed BG zoning districts for the next meeting.

- **Consensus:** The Committee recommends that Site 9 be zoned Business General and the BG zoning definition should be amended to exclude truck terminals.
- **Consensus:** The Committee recommends that the area west of Site 9 between Broadfording Road and Salem Avenue (for the purpose of these minutes will be known as Site 10) be zoned RT (Residential Transitional).
- **Consensus:** The Committee recommends that Site 7 (the area owned by Mr. Dahbura and Orchard Business Park) be zoned ORT, as proposed by Staff.

There was a brief discussion regarding a trailer sales and service business located at the tip of the area known as Site 6. Mr. Goodrich stated he would further investigate the uses of the business to determine if they would be allowed in the IG zoning district. Mr. Armel suggested zoning this property BG so the existing business would not be a non-conforming use in the IG zoning district.

Members discussed the area east of Maugansville Road known as Site 8 and the uses that currently exist in this area. They discussed the differences between the proposed RT and RU uses and densities. Mr. Goodrich noted that the RT zoning district has the lowest density per acre and the RU zoning district has the highest density per acre. Members also discussed the area between Salem Avenue and Maugansville Road. Mr. Reynolds asked why this area is proposed to be zoned RT instead of RU. Mr. Goodrich stated that the Comprehensive Plan recommends low density residential uses in this area because this is the outer edge of the UGA. Members discussed the zoning of Site 8. The committee discussed three zoning district choices, RT, RS and RU, and the densities associated with each zoning district. They also discussed the uses of properties adjoining and adjacent to this site.

Following discussions, the Committee decided to vote to make their recommendation for this site.

- Recommend RT zoning district for Site 8. One member voted in favor of the RT zoning district
- recommend RS zoning district for Site 8: No one voted in favor of the RS zoning district
- Recommend RU zoning district for Site 8: Seven members voted in favor of the RU zoning district. Mr. Ditto voted in opposition of the RU zoning district.
- **Consensus:** The Committee recommends that Site 8 be zoned RU (Residential Urban), as proposed by Staff.

### **NEXT MEETING**

The next meeting is scheduled for Thursday, October 30<sup>th</sup> at 9:00 a.m. Mr. Goodrich will provide a map showing all of the proposed BG zoning districts. Mr. Ditto requested an update on the status of the bio-diesel study.

### **ADJOURNMENT**

Mr. Shank made a motion to adjourn the meeting at 11:05 a.m. Seconded by Mr. Corum. So ordered.

Respectfully submitted,

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Richard Phoebus, Chairman

