

MINUTES

URBAN GROWTH AREA ADVISORY COMMITTEE January 8, 2009

The Urban Growth Area Advisory Committee held a meeting on Thursday, January 8, 2009 at 9:00 a.m. at the Washington County Administrative Annex, 80 West Baltimore Street, Conference Room 1, Hagerstown.

CALL TO ORDER

Chairman Phoebus called the meeting to order at 9:00 a.m.

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

- Richard Phoebus
- Mike Armel (arrived at 9:10)
- Jeff Cline (arrived at 9:15)
- John Shank
- Harry Reynolds (left at 9:45)
- Linda Irvin-Craig
- Dennis Miller
- Gerald Ditto (left at 9:35)
- Steve Goodrich
- Jill Baker
- Fred Nugent
- Mike Thompson
- Debra Eckard
- Jennifer Kinzer
- Meghan Hammond
- Bob Mandley, EDC

MINUTES

Mr. Reynolds made a motion to approve the minutes of the December 18, 2008 meeting as presented. Seconded by Mr. Miller. Unanimously approved.

OLD BUSINESS

Review of UGA Committee's Proposed Zoning Recommendations

Mr. Goodrich began a review of the Committee's recommendations for proposed zoning changes within the UGA. He displayed a map with the various site number designations, Staff's zoning proposals, and the Committee's zoning recommendations. A chart listing each of the site numbers, site locations, staff's original zoning proposal and the Committee's recommendations were distributed via e-mail prior to the meeting.

During the review of Site 2, which has a proposed zoning classification of PI (Planned Industrial), there was an inquiry regarding the expansion of agricultural uses. Mr. Goodrich stated that agricultural uses are permitted as an "interim" use in the PI zoning district. Members discussed their concerns about expansion of the agricultural operation in order to maintain its economic viability. They questioned if the "interim" use is limited to the existing operation. Mr. Goodrich stated that the IG (Industrial General)

zoning district allows agriculture for “interim” use and shall comply with specific setback requirements. The IG zone does not prevent expansion of the use. The PI (Planned Industrial) zoning district permits “principally permitted uses allowed in the IG district (except those prohibited)”; therefore, Mr. Goodrich believes the expansion of agriculture in the PI zone is permitted. No changes were recommended.

During the review of Site 4, Mr. Goodrich stated that Staff proposed the IR (Industrial Restricted) zoning district for this site and the Committee agreed with that recommendation. He noted that the Economic Development Commission (EDC) requested HI-1 (Highway Interchange 1) zoning for this site; however, the HI-1 zoning designation is going to be abandoned. Mr. Goodrich stated that Staff believes the IR zoning district would be the most appropriate substitution if the desired HI-1 zoning is not available. Mr. Miller stated that the City of Hagerstown has proposed Business Employment zoning for this site. There was a brief discussion questioning why Site 2, which is immediately north of and adjoining Site 4, is proposed for PI zoning and Site 2 is proposed for IR zoning. Mr. Goodrich noted that the Comprehensive Plan calls for Industrial Flex zoning in this area. Mr. Mandley stated that the EDC requested the HI-1 zoning district in order to attract amenities such as restaurants, dry cleaning services, etc. to serve the businesses in the area. The proposed IR zoning district would not allow these types of services. Mr. Goodrich noted that the IR zoning district is a more restrictive zoning district. Members discussed several concerns when mixing small businesses with larger businesses, such as traffic issues, more pedestrian traffic, etc. After reviewing the uses allowed in the PI zoning district and a brief discussion, the Committee made the following recommendation.

- **Consensus:** The Committee recommends PI (Planned Industrial) zoning for Site 4 (north of US Route 40).

During the review of Site 6, Mr. Ditto asked for clarification that the property on the east side of the railroad tracks to I--81 would also be zoned IG. Mr. Goodrich stated that everything owned by Martin Elevator and/or Martin family members would be zoned IG. It was noted that the property line separating the zoning districts was not shown on the map in the correct place and the change would be made prior to the next meeting.

During the review of Site 14, Mr. Goodrich noted that Staff is recommending that a portion of this site be taken out of the Growth Area because it is zoned Industrial Mineral. He also noted that the boundary line around the railroad tracks between the IM and IG zoned properties needs to be adjusted. Staff has considered the RT zoning district for the remainder of the site.

- **Consensus:** The Committee agrees with Staff’s recommendations for adjusting the UGA boundary line and the RT zoning for site 14.

During the review of Site 21, Mr. Thompson noted that a letter has been received by the Planning Department from the Doub family requesting consideration of a commercial zoning for this site. Mr. Miller stated that the City of Hagerstown is proposing a commercial zoning for this property when it is annexed into the City. Mr. Goodrich stated that there are some commercial uses allowed in the ORT zoning district.

Mr. Cline asked if the Committee considered Sites 15 and 16 for RT (Residential Transitional) zoning, rather than RS (Residential Suburban) zoning. Members stated that there was a lot of discussion regarding the recommended zoning on these two sites and that discussions centered around the road crossing the railroad tracks. Mr. Phoebus further explained that the road is no longer a County road. Members also clarified that industrial traffic was not wanted through residential neighborhoods; therefore, the residential zoning classification seemed more appropriate than the Planned Industrial zoning. Mr. Armel noted that the Committee chose a higher density zoning to provide areas that would encourage workforce housing.

The Committee members acknowledged that Staff provided the information requested during previous discussions of Site 15. Following a review of this information, the Committee has no change to the previous recommendation for RS zoning on this site.

With the exception of the sites specifically listed above, the Committee had no changes or further discussions regarding their recommendations.

Mr. Goodrich stated he is working on the proposed changes to the text. He is planning to present these changes to the Committee at the next meeting. Mr. Goodrich reminded members that there is a version of the text changes in a chart he distributed several months ago.

Members briefly discussed the report and other materials they would like to include with their proposed zoning changes that will be presented to the Board of County Commissioners. Ms. Eckard will extract the summary of each site from previously approved minutes for members to review and possibly use as a guideline for their written report.

OTHER BUSINESS

Mr. Shank distributed copies of an article from the magazine *Maryland My Maryland* regarding windmills in Carroll County. He expressed his desire to see Washington County begin to develop regulations and guidelines for the use of windmills. Mr. Thompson stated that a text amendment will officially be filed on Monday (January 12th) relative to the use of windmills and solar energy in Washington County. He briefly discussed some of the requirements that may be written in the text amendment.

Mr. Armel began a discussion regarding information he has reviewed dealing with mixed use zoning. He asked Mr. Goodrich if text for a mixed use zoning will be included in the definitions to be presented at the next meeting. Mr. Goodrich stated it would be included. He noted that a new zone to allow residential with ORT uses will be proposed. There will also be text for the new "ED" (Education) zone and changes to the HC (Highway Commercial) zone (previously HI-1). Mr. Armel noted that the mixed use zone in Frederick County is an overlay zone and questioned if Staff is considering the same for Washington County. Mr. Goodrich stated it would be considered an overlay zone. He stated that mixed use zones are very difficult to develop and are not appropriate for every developer in every area. Staff believes it should be up to the developer to decide if they want to develop a mixed use development and the areas where they believe it is appropriate. Mr. Armel expressed his opinion that Frederick County's 50-acre minimum parcel size for a mixed use zone is too large an area. Mr. Goodrich stated that the County would set a minimum parcel size; however, it will be less than 50-acres. Mr. Armel expressed his opinion that a mixed use zone will allow developers creativity and more flexibility.

Mr. Armel expressed his opinion that, during the Committee's presentation to the BOCC, some of the County Commissioners believe there should be an Ag zone in the UGA, which would help solve some issues. He stated that the current list of uses for the Ag zone is extensive and he does not believe that it should be "transplanted". Mr. Phoebus expressed his opinion that it is the Committee's opinion that there should not be any provision for a regular Agriculture zone in the UGA. Current uses will be grandfathered and protected; however, the Growth Area is for the eventual growth of the County. Mr. Thompson believes that the County Commissioners want to make sure that current agricultural uses are permitted in the UGA. However, the Comprehensive Plan recommends eliminating the agriculture uses in the growth area in order to allow growth where infrastructure is available.

NEXT MEETING

The next meeting is scheduled for Thursday, January 22, 2009. The Committee also discussed dates for meetings in February. Meetings were scheduled for February 5th and February 19th. The Committee hopes to finish their assignment by the second scheduled meeting in February.

ADJOURNMENT

Chairman Phoebus adjourned the meeting at 10:50.

Respectfully submitted,

Richard Phoebus, Chairman