

MINUTES

URBAN GROWTH AREA ADVISORY COMMITTEE March 12, 2009

The Urban Growth Area Advisory Committee held a meeting on Thursday, March 12, 2009 at 9:00 a.m. at the Washington County Administrative Annex, 80 West Baltimore Street, Conference Room 1, Hagerstown.

CALL TO ORDER

Chairman Richard 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
- Linda Irvin-Craig
- Harry Reynolds
- John Shank
- Gerald Ditto
- Nancy Allen (arrived at 9:40 a.m.)
- Michael Armel
- Dennis Miller
- Jeff Cline
- Donovan Corum
- Steve Goodrich
- Debra Eckard
- Mike Thompson
- Fred Nugent
- Bob Mandley, EDC
- Tim Troxell, EDC

OLD BUSINESS

Ms. Irvin-Craig began by reviewing the materials discussed during the March 5th meeting regarding ORT and ORI zoning districts. The Committee was reviewing a *Comparison of Industrial uses in Various Industrial Zones* for ORI and ORT zoning districts. Discussion resumed with Item K "Manufacturing". Mr. Armel began by recommending that if a manufacturing use is a principal permitted use or allowed by Special Exception in the "IG" (Industrial General) zoning district but is not a permitted use in the "IR" (Industrial Restricted) zoning district, then the use should be prohibited in the ORI zoning district. He expressed his opinion that there are some "severe" manufacturing operations listed under item K (beginning with Concrete and Ceramic Products) and he does not believe that the ORI zoning district is intended to support heavy manufacturing uses. Mr. Ditto expressed his opinion that a square footage requirement may define the size of the product and the operation that should be permitted. Mr. Goodrich cited two issues that could be relevant to the square footage limitation: 1) expansion of the business in the future and 2) the process to be permitted as a special exception.

Mr. Bob Mandley stated that the Economic Development Commission reviewed the list of manufacturing uses as identified in Item K. They have prepared a list of uses they would like to see permitted in the ORI and ORT zoning districts. Mr. Mandley stated that the uses they have omitted from the list are permitted in other Industrial zoning districts. He noted the EDC supports the "Performance Standards" as discussed during the March 5th meeting. The EDC also recommends a square footage limitation with a

60% use of the total facility. Members discussed heavy manufacturing uses in the ORI zoning district using the example of Landis Cinetics. This manufacturing use is clean and quiet. However, in accordance with the purpose of the ORI zoning district, the use should be compatible with research, professional or business offices. Therefore, the Committee concluded that a business, such as Landis Cinetics, should not be permitted in the ORI zoning district. The definition needs to be more specific.

The Committee reviewed each area they have recommended for the ORI zoning district. Members discussed their recommendation of no outside storage in the ORI zoning district.

- **Consensus:** The Committee recommends that the ORI zoning district should allow manufacturing, which can meet the Performance Standards previously discussed, up to 60% of the total building size and should not allow outside storage. The Committee also recommends that manufacturing uses that are Principal Permitted uses or Special Exception uses in the "IG" zoning district and are not permitted in the "IR" zoning district should be prohibited in the "ORI" zoning district.

In reviewing the list of uses prepared by the EDC, Mr. Reynolds questioned why the EDC wanted the manufacture or processing of chemicals as a permitted use in the ORT and ORI zoning districts. Mr. Mandley stated that the manufacture of chemicals could be used in many types of manufacturing to complete their process. Members believe that chemicals used to complete a manufactured product is part of the "process" of producing that product. However, creating chemicals to sell is different. After a brief discussion, the Committee made the following recommendation:

- **Consensus:** Remove the "manufacture or processing of chemicals, except sulfuric, nitric, or hydraulic or other corrosive or offensive acids" from the list of uses permitted in the ORI and ORT zoning districts.

The Committee continued their review of the list prepared by EDC and questioned the elimination of the manufacture of cosmetics as a permitted use in the ORI and ORT zoning districts. Members discussed the need for allergists to test certain cosmetics and research for materials used during cosmetic procedures, such as Botox and silicone. No changes were recommended. Members continued their review of the list. They discussed the manufacturing of musical instruments, toys and novelties and wood products in the ORI zoning.

- **Consensus:** The Committee recommends that the manufacture of wood products be a permitted use in the ORI zoning district.
- **Consensus:** The Committee recommends that the manufacture of musical instruments, toys and novelties be a permitted use in the ORI zoning district.

The Committee began a discussion regarding the limitation on inside storage for manufacturing uses in the ORI zone. Currently the ORT zone limits the manufacturing to 40% of the building and 20% for inside storage. Mr. Goodrich suggested that a maximum parcel size could be used in the ORT zone to limit the size of the building. Members discussed the pros and cons of limiting the parcel size. After a brief discussion, members believe there is not a need to limit the inside storage for manufacturing.

The Committee continued their discussion of the permitted uses in the ORT and ORI zoning districts as proposed by the Planning Staff. On page 6 of the permitted uses, the Committee discussed personal service establishments, etc. and security facilities and guard houses.

- **Consensus:** The Committee recommends that "personal service establishments....." be permitted as an accessory use in the ORI zoning district with the same limitations as in the ORT zoning district and "security facilities and guard houses" be permitted as an accessory use (same as the ORT zone).

- **Consensus:** The Committee recommends that “computer and data processing services” be a permitted use in the ORI zone (same as ORT zone).

The committee began a discussion regarding “printing and publishing” uses. Following a brief discussion and re-evaluation of the zoning map, the committee made the following recommendation.

- **Consensus:** The Committee recommends that “printing and publishing” be a permitted use in the ORI, IR and IG zoning districts. The Committee also recommends that the zoning designation on Site 18 be changed from “ORT” to “ORI”.

Continuing their discussion of the permitted uses list on Page 6 under letter O (Public Administration), the Committee discussed “government structures and facilities” and “libraries” in the ORT and ORI zoning districts.

- **Consensus:** The Committee recommends that “libraries” be a permitted use in the ORT and ORI zoning districts.
- **Consensus:** The Committee recommends that “government structures and facilities” be changed to “government offices”.

The Committee continued their discussion on page 6 under the letter P (Retail and Wholesale Trade).

- **Consensus:** The Committee recommends that “drug store and pharmacy”, “newsstands”, and Stationery, office supply.....” be accessory uses in the ORI zoning district with the same limitations as in the ORT zoning district.

The Committee moved on in their discussion on page 6 to letter Q (Transportation and Warehousing).

- **Consensus:** The Committee recommends that “helipads” be a Special Exception use in the ORI and ORT zoning districts and heliports be a permitted use in the PI, IR and IG zoning districts.

The Committee briefly discussed “parking structures and parking lots”. On page 7, “parking structures and parking lots” are shown on two different lines. The first line would permit parking areas for buses, etc. in ORI and ORT zoning districts. After a brief discussion, the Committee recommends the following.

- **Consensus:** The Committee recommends that the second definition on page 7 dealing with “parking structures and parking lots” should be used and the first definition should be deleted in the ORI and ORT zoning districts.

Discussions moved to page 8 letter R (Utilities).

- **Consensus:** The Committee recommends that “public utility buildings.....” and “commercial communications towers.....” be Special Exception uses in both the ORI and ORT zoning districts.
- **Consensus:** The Committee recommends that “structures and equipment that are required to support international and domestic telecommunications.....” be a permitted use in the ORI zone. They recommended that this use should not be permitted in the ORT zone.
- **Consensus:** The Committee recommends that “satellite terminal stations and communications.....” be a permitted use in the ORI zone and should not be permitted in the ORT zone.

The Committee reviewed page 8, letter S (Miscellaneous).

- **Consensus:** The Committee recommends that “uses and structures that are normally.....” be accessory uses in the ORI zoning district.

Mr. Mandley requested clarification on page 7, letter Q (Transportation and Warehousing) regarding “petroleum products storage in above ground tanks...” The Committee discussed the above ground storage as it relates directly to the permitted use; however, the storage of petroleum products should not be a principal permitted use.

- **Consensus:** The committee recommends that “petroleum products storage in above ground tanks.....” should be permitted as an accessory use incidental to the principal permitted use in the ORI and ORT zoning districts.

NEXT MEETING

The next meeting of the UGA Committee is scheduled for Thursday, March 19, 2009 at 9:00 a.m. in the Washington County Administrative Annex. The Committee will discuss the ERT and AP zoning districts.

ADJOURNMENT

Chairman Phoebus adjourned the meeting at 11:05 a.m.

Respectfully submitted,

Richard Phoebus, Chairman