

WASHINGTON COUNTY PLANNING COMMISSION
REZONING PUBLIC INPUT AND REGULAR MEETING
June 1, 2026

The Washington County Planning Commission held a rezoning public input meeting and its regular monthly meeting on Monday, June 1, 2026 at 6:00 p.m. at the Washington County Administrative Complex, 100 W. Washington Street, Room 2000, Hagerstown, MD.

CALL TO ORDER AND ROLL CALL

The Chairman called the rezoning public input meeting to order at 6:00 p.m.

Planning Commission members present were: Jeff Semler, Chairman, Jay Miller, Vice-Chairman, Terrie Shank, Laura Lane-Unsworth, and Doug Wright, Jr. Staff members present were: Washington County Department of Planning & Zoning: Jennifer Kinzer, Interim Director; Travis Allen, Senior Planner; Kyla Shingleton, Comprehensive Planner; Misty Wagner-Grillo, Planner; and Debra Eckard, Office Manager.

REZONING PUBLIC INPUT MEETING

Washington County Board of County Commissioners [FCO-26-001]

Mr. Allen presented a text amendment application to amend several sections of the Forest Conservation Ordinance to comply with requirements of Maryland Senate Bill 256 (SB 256) and to provide clarification of existing regulations currently found in the Ordinance to meet the intent of Maryland's Forest Conservation Act. The majority of proposed amendments are mandated by SB 256 which was passed in 2023. Subsequent amendments under House Bill 1511 require that most of these changes under the original bill be adopted by July 1, 2026. These changes represent the most significant update to the Statewide Forest Conservation Act in 30 years. A statewide Technical Study on Changes in Forest Cover and Tree Canopy in Maryland was released in 2022, which mandated HB 991 in 2021. The Study was completed using higher resolution aerial imagery than has previously been available and was the most comprehensive study of changes in forest cover since 1991. The purpose of the Study was to evaluate the effectiveness of forest protection laws in Maryland over the last 20 years and to track progress of the State's commitment to completing its portion of the Chesapeake Bay Agreement.

Mr. Allen briefly noted that State laws, such as the Forest Conservation Act have been effective in stabilizing forest loss across the State overall, particularly in the last 10 years, despite a growing population. He noted that the positive nature of this trend is somewhat mitigated by a concurrent trend which revealed a replacement in forest cover with what the Study terms "*tree canopy outside of forests*". This refers to a trend known as "*forest fragmentation*". Fragmented forests do not offer the same benefits to people and wildlife as contiguous blocks of intact forest cover.

Mr. Allen summarized some of the major provisions that will take effect Statewide as follows:

1. **Changes to forest mitigation ratios:** Forest cleared for development must be replaced at 1:1 ratio unless in a Priority Funding Area (and not in a priority retention area), in which case mitigation will be a 0.5:1 ratio.
2. **New Qualified Exemption:** Qualified exemptions related to transit-oriented development, multi-family housing and solar photovoltaic facilities mean these types of projects are now responsible for reforestation requirements, not afforestation.
3. **Expanded Priority Areas for Retention:** Existing forests in urban areas and in high value watersheds are among the new areas prioritized for retention during development.
4. **Expanded Opportunities for Public Review and Challenge:** Forest clearing that takes place in the expanded priority retention areas will now sometimes require public notice and/or comment as part of the project approval.
5. **Minimum Distances for Stream Buffers:** Intermittent streams must be buffered at least 50 feet from the stream channel while perennial streams must be buffered at least 100 feet from the stream channel. Unforested stream buffers will need to be planted as part of the project's mitigation.

In addition to the state-mandated changes, staff are proposing other changes to the Ordinance to provide clarification and to clean up the existing text in the Ordinance. Mr. Allen noted that a comprehensive amendment to the Ordinance has not occurred since its adoption in 1993. Time has clarified how we administer the Ordinance on a day-to-day basis with far greater clarity than was possible 30 years ago.

The proposed changes have been preliminarily reviewed by the Department of Natural Resources (DNR) for consistency with requirements of SB 256. DNR is the agency responsible for administering the Forest

Conservation Act statewide. The proposed language incorporates all comments received from DNR. Letters of support have been received from Jill Baker, the former Director of Planning & Zoning and the Washington County Soil Conservation District. Staff recommend approval of these proposed amendments to meet requirements of SB 256 and to provide consistent implementation of forest conservation policies and regulations.

Discussion and Comments: There was a brief discussion regarding farmers clearing land to use in their farming operations. Mr. Allen stated that if the land is being used for farming operations, they would be exempt from forestation requirements; however, if the land is cleared to be used for a use such as a wedding venue then forestation would be required.

There was a brief discussion regarding the new public notification requirement. Mr. Allen explained that disturbance of forest in specific priority retention areas, such as: forested urban areas, high value watershed areas, forest suitable for interior forest dwelling species and stream buffers would require public notification. Notification could be made by mailing letters to affected property owners and allowing public comment via e-mail or standard mail. If more than 75% of the priority area is being cleared a public meeting for verbal comment would be required. If the Planning Commission would deny a request, the developer would need to seek other forest conservation measures.

Public Comment

Ms. Jill Baker, Williamsport – Ms. Baker spoke in favor of the proposed amendments. She noted that the State is trying to prevent forest fragmentation by providing many options for developers to retain or mitigate disturbed forest. She encouraged the Planning Commission to review each project on an individual basis and consider the proposed technique(s) chosen by the developer for mitigation.

Mr. Semler closed the Public Input Meeting at 6:23 p.m. and called the regular meeting to order.

NEW BUSINESS

MINUTES

Mr. Wright requested a change to the minutes of May 4, 2026.

Motion and Vote: Mr. Miller made a motion to approve the minutes of the May 4, 2026 Planning Commission meeting as amended. The motion was seconded by Ms. Shank and unanimously approved.

PRELIMINARY PLAT/SITE PLAN

Home2Suites – South Hagerstown [PSP-25-003]

Ms. Wagner-Grillo presented a preliminary plat/site plan for a proposed 4-story, 105-room hotel with a footprint of 25,200 square feet at 18565 Champs Crossing Drive. Lot 4 is 2.39-acres and is currently zoned HI (Highway Interchange). Water service will be provided by the City of Hagerstown and sewer service will be provided by Washington County. Storm water management will be handled through an off-site pond east of the McDonald's. Hours of operation will be 24 hours/day, 7 days/week; 20 employees are proposed. Parking required is 106 spaces; parking provided will be 112 spaces. Lighting will be pole and building mounted; a photometric plan has been submitted with the site plan. Pylon pole and building mounted signs are proposed. Landscaping will be provided around the building and throughout the parking area. Forest Conservation requirements were mitigated on a previously approved plat using off-site forest mitigation. All agency approvals have been received.

Discussion and Comments: Mr. Wright expressed his opinion that sidewalks should be provided for ease in access to other businesses in the area.

Mr. Semler asked if storm water management has been sized to accommodate Lots 3 and 5. Ms. Wagner-Grillo stated it can accommodate the remaining lots.

Mr. Miller expressed his concern that the County continues to approve projects and also continues to discuss the lack of water and sewer capacity. Ms. Kinzer stated that the City of Hagerstown as well as the County's Department of Water Quality have reviewed and approved this plan. She explained that this does not guarantee services; however, it indicates there is still allocation available. Allocation is given on a first-come/first serve basis.

Motion and Vote: Mr. Miller made a motion to approve the preliminary plat/site plan as presented. The motion was seconded by Ms. Lane-Unsworth and unanimously approved.

FOREST CONSERVATION

Fulton Forest Conservation Plan [TWN-26-010]

Mr. Allen presented two requests to meet forest conservation requirements on property located on Conococheague Street in Williamsport. The first request is to provide a payment-in-lieu of planting for 1.16-acres and the second request is to remove one specimen tree. The developer is proposing a gravel parking lot for tractor trailer parking in the Town of Williamsport. Mr. Allen explained that the County approves forest conservation requirements in the Town while the Town will approve the site plan. He noted that under normal circumstances, this project would qualify for the express procedure without Planning Commission approval. However, because the developer is requesting the removal of one specimen tree, the Planning Commission must approve the payment-in-lieu of request. The Forest Conservation Plan indicates the retention of forest on-site in existing floodplains; the remaining existing forest that is not being put under easement is located within a utility easement that precludes retention. The specimen tree is located in a centralized area of the site which makes retention very difficult. One specimen tree will be retained on the site.

Discussion and Comment: Mr. Miller asked if off-site retention on another parcel was considered. Mr. Allen noted that typically this developer does as much on-site retention as possible then requests the payment-in-lieu of planting to meet the remaining mitigation requirements. He reminded members that if the specimen tree removal was not requested, this project would be eligible for express approval without the Planning Commission's approval. Mr. Miller stated he is not in favor of approving the payment-in-lieu of planting request.

Motion and Vote: Mr. Miller made a motion to approve the request to remove one specimen tree. The motion was seconded by Mr. Wright and unanimously approved.

Motion and Vote: Ms. Shank made a motion to deny the payment-in-lieu of planting request and require reforestation. The motion was seconded by Ms. Lane-Unsworth.

Discussion before the vote: Mr. Allen asked for clarification if the Planning Commission wants the developer to provide mitigation on-site or use a different technique of mitigation.

Amended Motion and Vote: Ms. Shank made a motion to deny the payment-in-lieu of planting request and require another mitigation technique. The motion was seconded by Ms. Lane-Unsworth and unanimously approved.

OLD BUSINESS

Cascade Properties LLC [RZ-26-002]

Staff Presentation

Ms. Shingleton stated that a proposed text amendment to the Special Economic Development zoning district, Article 19, Sections 19c.2, 19c.3, 19c.6 and 19c.7 of the Washington County Zoning Ordinance was submitted. The proposed amendments to Article 19 of the Zoning Ordinance would include newly permitted and special exception uses as well as residential setbacks and design criteria which would allow for more opportunities, redevelopment and revitalization of the former Fort Ritchie Army Base.

Discussion and Comment: Mr. Wright expressed his opinion that Section 19.C.2 should not include electroplating or other uses that would put more serious chemical discharge into the sewage system. He believes those types of activities should occur in more industrialized areas in the County.

Ms. Kinzer reminded members that variety stores were stricken as a principally permitted use by the applicant during the public input meeting.

Motion and Vote: Mr. Miller made a motion to recommend approval to the Board of County Commissioners the proposed text amendment with electroplating and variety stores stricken from the text. The motion was seconded by Mr. Wright and unanimously approved.

Michael Godinez/Dominion Realty LLC [RZ-26-003]

Ms. Shingleton stated a proposed map amendment for properties located at 18128 and 18132 Maugans Avenue was submitted. The applicant is proposing to rezone the properties from RM (Residential Multi-family) to HI (Highway Interchange). The applicant is claiming a mistake in the original zoning of the property as well as a change in the character of the neighborhood. In the case of mistake, the applicant

contends that the County erred in rezoning the properties due to the inconsistent application of the HI-1 zoning classification to properties along Maugans Avenue during the 2002 comprehensive rezoning. In the case of substantial change in the character of the neighborhood, the applicant contends there has been an increase in average daily traffic on Maugans Avenue and substantial commercial development in close proximity of the subject parcels.

Due to the reasons stated above, Staff believes it is logical to apply the Highway Interchange zoning classification to these properties based on the separation from the neighborhood that is currently zoned RM (Residential Multi-family) and the close proximity to other commercial uses.

Discussion and Comment: Mr. Semler does not believe there was a mistake in the original zoning; however, he does believe there has been a change in the character of the neighborhood.

Motion and Vote: Mr. Miller made a motion to recommend approval of the proposed map amendment to the Board of County Commissioners based on a change in the character of the neighborhood. The motion was seconded by Ms. Shank and unanimously approved.

OTHER BUSINESS

Annual Report

Ms. Kinzer presented the 2025 Annual Report which is required by the Maryland Department of Planning (MDP). She briefly highlighted sections of the Report. During 2025, 63% of the County's permits were issued in six PFAs (Priority Funding Areas), which is where the State wants development focused and 37% were outside the PFA (in the rural area). The County goal in the 2002 Comprehensive Plan was 80% in the PFAs and 20% in the rural areas (80/20 ratio); the 2040 Comp Plan goal is an 85/15 ratio. This goal continues to follow State guidance to keep development where services are available and on smaller lots leaving more of the rural community untouched.

Update of Projects Initialized

Ms. Kinzer provided a written report for land development plan review projects initialized during the month of April including 12 site plans. She also noted that the final plat for the Village at Valencia – Phase I has been submitted.

ADJOURNMENT

Mr. Miller made a motion to adjourn the meeting at 7:25 p.m. The motion was seconded by Ms. Lane-Unsworth and so ordered by the Chairman.

UPCOMING MEETINGS

1. July 6, 2026, 6:00 p.m. – Washington County Planning Commission regular meeting

Respectfully submitted,



Jeff Semler, Chairman