



WASHINGTON COUNTY PLANNING COMMISSION  
ORDINANCE TEXT AMENDMENT APPLICATION

FOR PLANNING COMMISSION USE ONLY

Rezoning No. \_\_\_\_\_

Date Filed: \_\_\_\_\_

Washington County Planning Commission

Applicant

747 Northern Avenue, Hagerstown, MD 21740

Address

Jill Baker, Director

Primary Contact

same

Address

☐ Property Owner ☐ Contract Purchaser

☐ Attorney ☐ Consultant

☒ Other: Planning Commission

240-313-2430

Phone Number

askplanning@washco-md.net

E-mail Address

☐ Adequate Public Facilities Ordinance

☐ Forest Conservation Ordinance

☐ Subdivision Ordinance

☐ Solid Waste Plan

☐ Water and Sewer Plan

☒ Zoning Ordinance

☐ Other \_\_\_\_\_

Articles 19 & 28A

Section No. \_\_\_\_\_

Please provide the proposed text on a separate sheet of paper as follows: strike-through should be used for deletions [~~deletions~~], unchanged wording in regular type, and new wording should be underlined [new wording].

  
Applicant's Signature

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My commission expires on \_\_\_\_\_

Notary Public

FOR PLANNING COMMISSION USE ONLY

☐ Application Form

☐ Fee Worksheet

☐ Application Fee

☐ Proposed Text Changes

☐ 30 copies of complete Application



DEPARTMENT OF PLANNING & ZONING  
COMPREHENSIVE PLANNING | LAND PRESERVATION | FOREST CONSERVATION | GIS

RZ-23-003

March 20, 2023

WASHINGTON COUNTY ZONING ORDINANCE  
STAFF REPORT AND ANALYSIS

ARTICLES 19 & 28A

**Proposal:** Application is being made to amend sections of the Zoning Ordinance related to the location and definition of truck stop uses.

**Staff Report:**

Electronic commerce (E-commerce) has rapidly expanded in recent years hastened by the social changes brought about by the COVID-19 pandemic. Two primary focus points of e-commerce is having a large supply inventory as well as fast delivery service. This has created increased demand for inventory warehousing, regional distribution facilities, and freight carriers. The focus of this amendment is related to support services necessary to accommodate the needs of truck freight carriers commonly referred to as truck stops or traveler plazas.

As truck freight traffic continues to increase on interstates nationwide, our local interstates are no exception. Increased traffic along with increased regulations on drivers to stop and rest, has developed the need for truck driver amenities and truck parking facilities. Many interstate ramps are currently overrun during peak periods of the day with trucks parked on the shoulders in order to meet their mandatory rest times. Additional opportunities for trucks to get off main routes and out of local residential neighborhoods are needed now and will continue to be in demand.

**Proposed Amendments:**

**ARTICLE 19 "HI" HIGHWAY INTERCHANGE DISTRICT**

Section 19.2. Principal Permitted Uses

- (a) All Principal Permitted Uses allowed in the BL, BG, PB, and ORT Districts. Also permitted are all Principal Permitted Uses in the IR District except heliports and Commercial Communications Towers.
- (b) Agriculture, as defined in Article 28A, including animal husbandry facilities, as defined in Article 28A, which shall be subject to the requirements set forth in Article 22, Division IX.

(c) Truck Stops

## ARTICLE 28A – DEFINITIONS

~~**Truck Stop:** A structure or land used or intended to be used primarily for the sale of fuel for trucks and, usually long-term truck parking, incidental service or repair of trucks, overnight accommodations, or restaurant facilities open to serve the general public; or a group of facilities consisting of such a use and attendant eating, repair, sleeping or truck parking facilities. As used in this definition, the term “trucks” does not include any vehicle whose maximum gross weight is 10,000 pounds or less, as rated by the State Motor Vehicle Administration.~~

**Truck Stop:** A facility used to serve the trucking industry by providing a location for rest and refueling. The inherent and allowable uses of a truck stop include separate fuel islands with high flow pumps and areas for truck parking. In addition, truck stops also include service/repair facilities for trucks and/or trailers, on-site shower facilities, on-site laundry facilities, overnight stay accommodations, on-site truck wash, and/or on-site truck scales.

As used in this definition, the term “trucks” does not include any vehicle with a maximum gross weight less than 10,000 pounds, as rated by the State Motor Vehicle Administration. Convenience stores with truck parking in accordance with Section 22.14 are not considered part of this definition.

### Analysis:

According to a grant application produced by the Maryland Department of Transportation (MDOT)<sup>1</sup>, the Maryland portion of Interstate 81 (I-81) carries an average of 19,400 trucks per day while Interstate 70 (I-70) carries an average of 11,100 trucks per day. According to the report, I-81 alone carries approximately 10% of the gross domestic product of this country equating to about \$1.85 trillion making it one of the most critical freight corridors in the country. This amount of freight movement requires a substantial amount of logistical infrastructure to support the transfer and distribution of these materials.

In addition to the volume of freight movement within our region, other logistical factors play a role in the need for support infrastructure for this industry. According to US Department of Transportation rules, a commercial truck driver may only drive 11 hours straight within a 14-hour period provided they have had 10 consecutive hours off. For long haul carriers, this creates a need for areas where commercial truck drivers can safely pull off the road and rest.

Geography plays a significant role in the heightened interest to locate truck stops within Washington County. There are numerous ports along the eastern seaboard that accept incoming freight delivery with the bulk of the calls coming into mid-Atlantic ports including New York/New Jersey, Baltimore, Philadelphia, and the ports of Virginia (Norfolk and Newport News). Figure 1 below shows the importance of the interstate system in the commodity flow of freight throughout the country. This is also known as a Freight Analysis Framework. As shown in the Figure, Maryland and Pennsylvania have a significant amount of freight traffic coming from eastern seaports travelling through the area for inland distribution.

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(Maryland Department of Transportation, 2018)



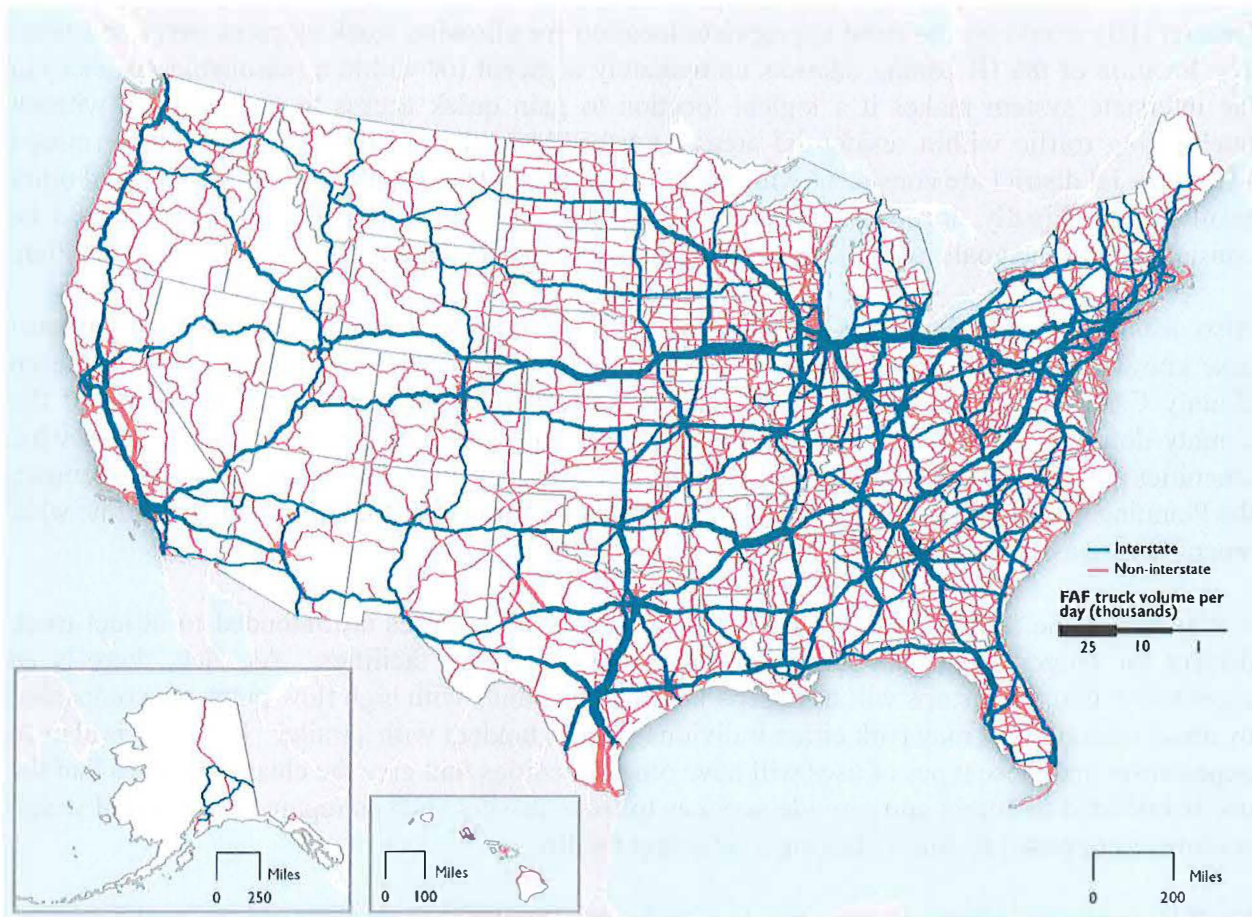


Figure 1: Average Daily Long-Haul Truck Traffic on the National Highway System: 2015 (Source: Bureau of Transportation Statistics, Freight Facts and Figures Figure 3-4)

Another significant factor in drawing this industry to our area is the highway infrastructure. Washington County contains three interstate systems within our small geographic area. As we have already established, I-81 provides a crucial north-south oriented highway that carries a significant amount of freight traffic. In addition, I-70 provides a significant east-west oriented travel route that is increasing in this average daily traffic flows as well. Interstate 68 (I-68) west of Hancock provides a key connection through the Appalachian region of the country and assists with inland distribution to the mid-west. Washington County also consists of several significant Federal non-interstate routes including US 11, 40, and 522. These provide alternate routes of travel throughout our region which are also seeing higher rates of truck traffic than in the past.

All these factors have created an area of high demand for logistical and support services in our area. As a consequence to our prime freight movement location, the demand for uses such as truck stops has become more prevalent. This demand has in turn raised concerns about traffic congestion, pollution, and other safety concerns within the community.

When evaluating these concerns, the Planning Commission discussed appropriate locations for these types of uses as they relate to public concern and the goals and objectives of the Comprehensive Plan. After careful consideration it was determined that the Highway Interchange

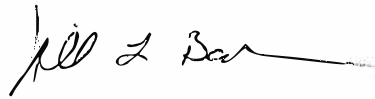
District (HI) would be the most appropriate location for allowing truck stops as permitted uses. The location of the HI zoning districts immediately adjacent (or within a reasonable distance) to the interstate system makes it a logical location to gain quick access to the highway without interrupting traffic within residential areas. Furthermore, the existing uses that are permitted within the HI district are consistent with the functionality of truck stops (i.e. gas stations and other retail sales). Finally, locating truck stops as a permitted use within the HI district would be consistent with the goals and objectives of the transportation element of the Comprehensive Plan.

Also discussed by the Planning Commission was the definition of a truck stop. A previous court case known as Bowman Spielman LLC v. Jane Hershey et. Al. (Circuit Court for Washington County Case No. C-21-CV-18-000377) recently called into question the interpretation of the County definition of a truck stop. The judge found ambiguity within the definition as to what amenities associated with such a use would define it as a truck stop. In response to this judgement, the Planning Commission is proposing to amend the definition of a truck stop to better define what amenities are associated with this type of use.

The intent of the proposed definition is to clarify when such uses are intended to attract truck drivers for longer stays than those that are simply refueling facilities. As such, there is an expectation that truck stops will have separate fueling islands with high flow pumps accompanied by areas where trucks may park either individually or in tandem with a trailer. But there is also an expectation that these types of uses will have other amenities that give the clear indication that the use is intended to attract and provide services to truck drivers such as repair facilities and weigh stations, as opposed to simply having a refueling facility.

**Staff Recommendation:** Based upon feedback and comments from other government agencies, developers, property owners, and the general public, Staff recommends approval of these amendments in order to provide consistent implementation of our land use policies and regulations.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jill L. Baker", with a long horizontal flourish extending to the right.

Jill L. Baker, AICP  
Director