



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-23-002

APRIL, 2024

WASHINGTON COUNTY ZONING ORDINANCE
STAFF REPORT AND ANALYSIS
REVISION 1

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:

Key of Changes:

Planning Commission Recommendations

BoCC updated language

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.

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- (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

Section 19.3. Special Exception Uses (Requiring Board Authorization after Public Hearing)

- (g) 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 may also include one or more of the following: service/repair facilities for trucks and/or trailers, on-site shower facilities, on-site laundry facilities, overnight stay accommodations, on-site truck wash, on-site truck scales, and/or truck parking in excess of the limitation in Section 22.15 for convenience stores. Convenience stores may not offer the additional amenities listed in this definition.

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 22.15 are not considered part of this definition.

Analysis:

According to a grant application produced by the Maryland Department of Transportation (MDOT)¹, 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

(Maryland Department of Transportation, 2018)

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.

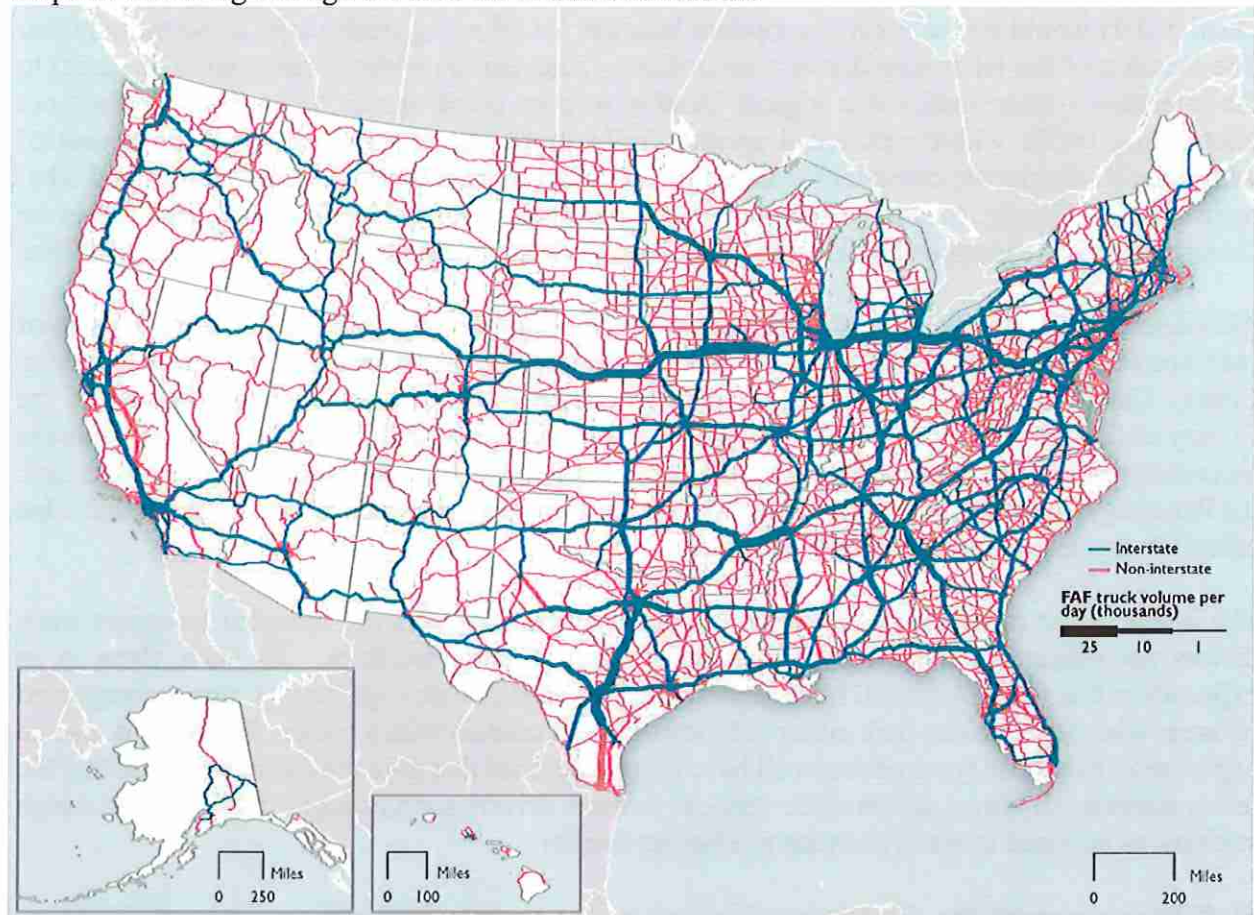


Figure 1: Average Daily Long-Haul Truck Traffic on the National Highway System: 2015 (Source: Bureau of Transportation Statistics, Freight Facts and Figures Figure 3-4)

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 objections 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,



Jill L. Baker, AICP
Director



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

August 9, 2023

RZ-23-003

APPLICATION FOR TEXT AMENDMENT
PLANNING COMMISSION RECOMMENDATION

RECOMMENDATION

On June 5, 2023, the Washington County Planning Commission held a public input meeting to consider a text amendment to Articles 19 and 28A of the Washington County Zoning Ordinance related to the location and definition of truck stop uses.

At its August 7, 2023 regular meeting, the Planning Commission took action to recommend approval of the proposed text amendment to the Board of County Commissioners. A copy of the application, the Staff Report and Analysis prepared by the Department of Planning & Zoning, and minutes of the June 5, 2023 public input meeting are attached.

Respectfully submitted,

Jill L. Baker, AICP
Director, Washington County Department of
Planning & Zoning

JLB/dse

Attachments

**WASHINGTON COUNTY PLANNING COMMISSION
REGULAR MEETING
June 5, 2023**

The Washington County Planning Commission held a public input meeting and its regular monthly meeting on Monday, June 5, 2023 at 6:00 p.m. at the Washington County Administrative Complex, 100 W. Washington Street, Room 2000, Hagerstown, MD.

Planning Commission members present were: David Kline, Vice-Chairman, Denny Reeder, Teresa Shank, Jeff Semler and Ex-officio Randy Wagner. Staff members present were: Washington County Department of Planning & Zoning: Jill Baker, Director; Jennifer Kinzer, Deputy Director; Scott Stotelmyer, Planner I; Heather Williams, Planner; and Debra Eckard, Administrative Assistant.

CALL TO ORDER AND ROLL CALL

Vice-Chairman Kline called the public input meeting to order at 6:00 pm.

RZ-23-003 – Text Amendment – Truck Stops

Staff Presentation

Ms. Baker presented a text amendment application submitted by the Washington County Planning Commission relating to the definition of a truck stop and truck stop uses. The proposed amendment intends to clarify the definition of a truck stop versus a convenience store and other similar uses. The amendment also proposes truck stops as a principal permitted use in the HI (Highway Interchange) zoning district and not a special exception use as currently established in the Zoning Ordinance. Several written comments were received and provided to the members prior to the meeting.

Public Comment

- Jefferson Boyer, 68 South Main Street, Smithsburg – Mr. Boyer is opposed to the proposed amendment and expressed his concern with regard to making truck stops a principal permitted use. He believes a special exception gives the public its right to express their concerns. Mr. Boyer expressed his opinion that this proposal is bad for “smart” growth planning and we are selling out for economic gain.
- Rob Ferree, 16235 Shaffer Road, Sharpsburg – Mr. Ferree is an employee of Bowman Development and he supports the proposed amendment. He noted that MD SHA reports a serious lack of facilities for truck drivers to stop, rest and eat.
- Jimmy Black, 15942 Spielman Road – Mr. Black expressed his concern regarding truck stops and the lack of public input if they are made a principal permitted use in the HI district. This amendment would only benefit developers and would not give the public the opportunity to voice their concerns.
- Barbara Hovermill, 16286 Spielman Road – Ms. Hovermill expressed her opinion that the proposed amendments will affect the safety and well-being of properties and lives in the County as well as historic integrity. [Ms. Hovermill spoke more specifically about a proposed truck stop at the corner of Spielman Road, which is not the subject of this proposed amendment.]
- Michael Tedrick, 11423 Ernstville Road, Big Pool – Mr. Tedrick is opposed to the proposed amendment citing health and safety concerns. He believes the County supports developers at all costs but does very little to protect its citizens and historic properties. He expressed his opinion that the proposed amendment will bring more noise, air pollution, and light pollution to the County.
- Paul Miner, 14938 Falling Waters Road, Williamsport – Mr. Miner expressed his concern regarding pollution, health and safety concerns as well as the disappearance of farmland throughout the County.

The public input meeting closed at 6:28 p.m. and the regular meeting was called to order.

MINUTES

Motion and Vote: Ms. Shank made a motion to approve the minutes of the May 8, 2023 meeting as presented. The motion was seconded by Mr. Reeder and unanimously approved.

OLD BUSINESS

RZ-23-001 – Text Amendment – Convenience Stores – Recommendation

Ms. Baker reminded members that a public input meeting was held in April for a proposed text amendment relative to convenience stores. One change was made as part of the testimony given at that meeting: the statement regarding parking of tractor trailers either separately or in tandem on public or private streets has been removed from the residential zoning districts text and moved to Section 22.15 Truck Parking requirements. Members were sent a copy of the amended language for review. Ms. Baker noted that convenience stores are not currently listed in the Zoning Ordinance; therefore, the definition will now be clarified. Convenience stores will be a principal permitted use in the Business Local (BL) and Business General (BG) zoning districts which will also carry over to the Highway Interchange (HI) zoning district. The public comment period will remain open until the Board of County Commissioners' public hearing closes.

Motion and Vote: Mr. Reeder made a motion to recommend approval, to the Board of County Commissioners, of the text amendment as presented. The motion was seconded by Mr. Semler and unanimously approved with Commissioner Wagner abstaining from the vote.

NEW BUSINESS

PRELIMINARY CONSULTATION

PC-23-001 – Diversified Capital-Martin Property

Mr. Stotelmyer presented for review and comment a concept plan for Diversified Capital. A preliminary consultation was held on April 26, 2023 for a proposed 1 million square foot warehouse at 12440 Burkholder Lane; the property is currently zoned PI (Planned Industrial). Comments from the reviewing agencies were included in the Commission's agenda packets. Mr. Connor McManus of Dynamic Engineering was present at the meeting.

Discussion and Comments: Mr. Reeder asked how Forest Conservation would be met if a portion of the property is sold back to Mr. Martin. Mr. McManus stated that Forest Conservation would be met on-site along the access road and within the storm water management area.

Mr. McManus explained that the entire parcel will be purchased from Mr. Martin and then subdivided with approximately 50% of the property going back to Mr. Martin for farmland. The floodplain area will be shared by both the developer and Mr. Martin.

Existing water and sewer services are currently available and will be extended to the site.

SUBDIVISIONS

Potomac Overlook [PP-22-001]

Mr. Stotelmyer presented a preliminary plat for the Potomac Overlook subdivision located along Keep Tryst Road in Knoxville. The developer is proposing a seven lot subdivision with lots ranging in size from .39 acre to 14.89 acres. The property is currently zoned RV (Rural Village). There will be one access point from Sandy Hook Road. Water and sewer will be provided by private individual wells and septic systems. Forest Conservation will be met by retaining 8.97 acres of forest on-site. A modification was previously approved by the Planning Commission to allow lots without public road frontage. All agency approvals have been received.

Discussion and Comments: Mr. Poffenberger of Fox & Associates, Inc., the consultant, explained that Lots 1 and 2 would have the option to access Keep Tryst Road and Lots 3 and 4 have the option to access Sandy Hook Road if they do not want to use the shared access. He also clarified that the lots would be served by public water and public sewer, not individual well and septic.

Motion and Vote: Mr. Reeder made a motion to approve the preliminary plat as presented. The motion was seconded by Mr. Semler and unanimously approved.

Emerald Pointe PUD [DP-23-001]

Mr. Stotelmyer presented a change to the final development plan for the Emerald Pointe PUD to remove the asphalt pathway connecting the residential portion of the Emerald Pointe neighborhood to the commercial area known as Emerald Square. The proposed pathway would begin on the south side of Sapphire Drive and extend through the Forest Conservation area ending at the commercial area. The pathway was proposed for use by pedestrians and light vehicles. This change is being requested by the Emerald Pointe HOA for the following reasons: security of the neighborhood, damage to the pathway because of tree roots, costs for repair and upkeep of the pathway, and potential for nefarious and noisy, disruptive activities affecting the neighborhood.

Motion and Vote: Mr. Reeder made a motion to approve the change to the development plan as presented. The motion was seconded by Mr. Semler and unanimously approved.

SITE PLANS

Morningside East Trailer Parking Area [SP-22-035]

Ms. Williams presented for review and approval a site plan for the Morningside East Trailer Parking Area located at 231 East Oak Ridge Drive. The property is currently zoned HI (Highway Interchange). The parcel is 17.64 acres in size with a proposed disturbance area of 3 acres. The developer is proposing the addition of trailer parking and a storm water management area, both located at the front of the property. Fifty-five new truck parking spaces are proposed on the site. Hours of operation will be limited to daylight hours Monday thru Friday. There will be no additional employees and no additional water or sewer usage is anticipated. No new lighting or additional signage is proposed. Tractor trailers will be using the existing entrance. Forest Conservation requirements have been met through on-site retention and payment-in-lieu of planting which has been approved (FP-22-003).

Motion and Vote: Mr. Semler made a motion to approve the site plan as presented. The motion was seconded by Ms. Shank and unanimously approved.

OTHER BUSINESS

Annual Report

Ms. Kinzer presented the draft Annual Report which is required to be submitted to the Maryland Department of Planning for the prior calendar year under Section 1-207E of the Land Use Article. Ms. Kinzer gave a brief overview of the draft highlighting various sections of the Report. She stated there were 242 new residential permits issued, 188 inside the priority funding area and 54 outside the priority funding area. There were four rezonings, one water and sewer amendment, two annexations and one de-annexation that occurred throughout the County. Ms. Kinzer noted that 1222.80 acres were permanently preserved in the County with a value of \$4,482,403.21. She also noted that 90.4% of development occurred within the growth area and only 9.6% of development occurred in the rural area. Thirty-one commercial site plans were approved in 2022, with 660 acres being developed in the priority funding areas.

Motion and Vote: Mr. Semler made a motion to approve the Annual Report as presented and submit it to the Maryland Department of Planning. The motion was seconded by Ms. Shank and unanimously approved.

Update of Projects Initialized

Ms. Kinzer provided a written report for the land development plan review projects initialized during the month of April. A total of 54 submissions were received including 2 ordinance modifications, 2 preliminary consultations and 3 site plans.

Capital Improvements Plan

Ms. Baker presented a list of line item projects approved by the Board of County Commissioners for the next 10 years. Each project must be consistent with the County's adopted Comprehensive Plan. Staff has reviewed the projects and found them to be consistent with the Comprehensive Plan. Having the Planning Commission's concurrence for consistency helps the County to receive funding for projects.

Motion and Vote: Mr. Semler made a motion to recommend to the Board of County Commissioners that the projects are consistent with the County's adopted Comprehensive Plan. The motion was seconded by Mr. Reeder and unanimously approved with Commissioner Wagner abstaining from the vote.

Comprehensive Plan Update

Ms. Baker noted that four more chapters of the Comp Plan will be forthcoming in the next two weeks. We anticipate having the Plan available for a 90-day public comment period at the beginning of July. We are currently working on distribution lists which we will use to send e-mails to our stakeholders and other interested parties letting them know when the Plan is available for review as well as working with our Public Relations office on social media postings. Hard copies of the Plan will be distributed to libraries around the County and our GIS staff has created a website dedicated solely to the Comp Plan. Ms. Baker anticipates having public meetings with Planning Commission members in attendance in August or September to gain public input. We will discuss dates and locations for public meetings with the Planning Commission at the July meeting.

UPCOMING MEETINGS

1. Washington County Planning Commission regular meeting, July 10, 2023 at 7:00 p.m.

ADJOURNMENT

Mr. Semler made a motion to adjourn the meeting at 7:20 p.m. The motion was seconded by Mr. Reeder and so ordered by the Vice-Chairman.

Respectfully submitted,



David Kline, Vice-Chairman

**WASHINGTON COUNTY PLANNING COMMISSION
REGULAR MEETING
August 7, 2023**

The Washington County Planning Commission held its regular monthly meeting on Monday, August 7, 2023 at 7:00 p.m. at the Washington County Administrative Complex, 100 W. Washington Street, Room 2000, Hagerstown, MD.

Planning Commission members present were: David Kline, Vice Chairman, BJ Goetz, Denny Reeder, Terrie Shank, Jeff Semler and Ex-officio County Commissioner Randy Wagner. Staff members present were: Washington County Department of Planning & Zoning: Jennifer Kinzer, Deputy Director; Scott Stotelmyer, Planner; Travis Allen, Comprehensive Planner; and Debra Eckard, Administrative Assistant; Washington County Division of Engineering: Heather Williams, Senior Plan Reviewer; and Washington County Soil Conservation District: Denise Price and Mark Kendle.

CALL TO ORDER AND ROLL CALL

The Vice-Chairman called the meeting to order at 7:00 pm.

MINUTES

Motion and Vote: Mr. Reeder made a motion to approve the minutes of the July 10, 2023 meeting as presented. The motion was seconded by Mr. Goetz and unanimously approved with Commissioner Wagner abstaining from the vote.

OLD BUSINESS

RZ-23-00 – Text Amendment – Truck Stops – Recommendation

Ms. Kinzer reminded members that a public input meeting was held on June 5, 2023 regarding proposed changes to the definition of and the appropriate zoning districts for truck stops. Several citizens were present at the public input meeting and provided comments.

Motion and Vote: Mr. Reeder made a motion to recommend approval of the proposed text amendment to the Board of County Commissioners. The motion was seconded by Mr. Goetz and unanimously approved with Commissioner Wagner abstaining from the vote.

NEW BUSINESS

PRELIMINARY CONSULTATION

PC-23-005 – Tidal Wave Hagerstown

Ms. Williams presented a concept plan for a proposed car wash with individual towel and vacuum stations to be located at 10320 thru 10400 Sharpsburg Pike. The property is currently zoned HI (Highway Interchange). A preliminary consultation was held on June 29, 2023 with the consultant and various County agencies.

Discussion and Comments: Members made inquiries regarding road improvements and traffic signals along Sharpsburg Pike. Mr. Andrew Stein with Bohler Engineering, the consultant, stated there is a signalized intersection being proposed in conjunction with development across Sharpsburg Pike. Sharpsburg Pike would be widened along the west side of the south bound lane. The site has been configured so there will be no stacking of vehicles on Sharpsburg Pike.

ORDINANCE MODIFICATIONS

Dennis Minnick [OM-23-009]

Ms. Williams presented an ordinance modification request to allow the creation of a lot that does not meet the 25-foot public road frontage requirement. The site is located on Pleasant Valley Road in Smithsburg behind an existing residence at 12345 Pleasant Valley Road. The property is currently zoned EC (Environmental Conservation). The applicant is proposing a single-family home on a 5 acre lot which has been designated for agricultural use only. The property is accessed by a private driveway owned by the applicant.

Motion and Vote: Mr. Semler made a motion to approve the ordinance modification as presented. The motion was seconded by Mr. Goetz and unanimously approved.

PFCU Robinwood Lot 2 [OM-23-007]

Mr. Stotemyer presented an ordinance modification from Subdivision Ordinance Section 405.11.B to allow the creation of a lot without fully functional road frontage. The property is located at 11067 Robinwood Drive and is currently zoned BL (Business Local). The proposed lot would share an existing access with Lot 1. All agency approvals have been received.

Discussion and Comments: There was a brief discussion regarding ingress and egress to the site. Mr. Trevor Frederick of Frederick, Seibert & Associates, stated the right in/right out on Robinwood Drive will be the main point of access for the site. Patriot Federal also has access from the light at the entrance to the Elks Club. Mr. Goetz suggested moving the dumpster located on the Patriot Federal site to a different location to allow better access to the new lot.

Motion and Vote: Mr. Goetz made a motion to approve the ordinance modification as presented. The motion was seconded by Mr. Reeder and unanimously approved.

FOREST CONSERVATION**Crosspoint Residential – Townes at Rockspring [PSP-22-001]**

Mr. Allen presented a request to use the payment-in-lieu option to satisfy the remaining planting requirement for the Townes at Rockspring and a request to remove one specimen tree. He explained that this is a preliminary forest conservation plan for a 123-unit townhouse development. As each phase is implemented, a portion of the forest conservation plan would be shown on each plat submitted for approval. The total planting requirement is 6.36 acres resulting from the disturbance of 17.23 acres for the development. A portion of the forest mitigation will be retained on site. Mr. Allen believes the developer has made a good faith effort to accomplish as much mitigation on site as possible within the constraints of the development.

In regard to the specimen tree removal request, the justification statement cites grading limitations and storm water management requirements that make it difficult to keep the tree. The site layout has been designed to retain as much forest as possible and in conjunction with the street trees and storm water management techniques proposed this will help mitigate water quality impacts.

Motion and Vote: Mr. Semler made a motion to approve the request as presented. The motion was seconded by Ms. Shank and unanimously approved.

12001 Hopewell Road [SP-22-028]

Mr. Allen presented a request to remove 13 specimen trees at 12001 Hopewell Road as part of the proposed office and warehouse development on this site. The applicant's justification letter noted that 12 of 13 trees proposed for removal are Osage Orange, which is a native tree but an invasive species. Staff commends the developer for keeping all forest mitigation on-site and preserving a wetland area.

Motion and Vote: Ms. Shank made a motion to approve the request as presented. The motion was seconded by Mr. Semler and unanimously approved.

SITE PLANS**Crosspoint Residential – Townes at Rockspring [PSP-22-001]**

Mr. Stotemyer presented a preliminary site plan for the Townes at Rockspring townhouse development located along the west side of Massey Boulevard and east side of Hickory School Road. The property is currently zoned RS (Residential Suburban) and RT (Residential Transition). The developer is proposing a 123 unit townhouse development on 17.23 acres. The average lot size will be 2200 square feet. All lots will have access to newly constructed streets. There will be one access to Massey Boulevard and one access to Hickory School Road. Each unit will have two parking spaces and there will be a common parking area with 329 parking spaces available. All lots will be served by public water and public sewer. Open space area will be 4.77 acres in size and will include two play areas. Lighting will be provided along the streets and in common areas. Landscaping will be provided in the open space areas and along the boundary. All agency approvals have been received.

Discussion and Comments: Mr. Reeder expressed his concern regarding the amount of traffic generated by this development onto Hickory School Road as well as Virginia Avenue without any road improvements or the installation of a traffic signal on Virginia Avenue.

Mr. Lauren Stevens owns a blasting business on an adjoining property and expressed his concern regarding the removal of the trees that are currently a buffer for his property. He stated that he stores explosives for the State Fire Marshall's Office and explained there are distances that must be maintained for the underground storage facility that may interfere with the proposed road. He also expressed concern regarding sewer issues in the area.

Consensus: Commission members tabled this agenda item until more details regarding the following issues are addressed: specific clearances for the neighboring explosives business, traffic concerns (i.e. Was a traffic study completed? What are the plans for improving roads and intersections?), and impacts to the school (specifically during construction).

12001 Hopewell Road [SP-22-028]

Mr. Stotelmyer presented a site plan for a proposed 208,000 square foot warehouse on 46 acres located at 12001 Hopewell Road. There will be one access point from Hopewell Road. The site will be served by public water and public sewer. There will be approximately 60 employees; hours of operation will be 24 hours/day, 7 days/week. There will be pole mounted lights around the parking area as well as building mounted lights. Landscaping will be provided throughout the parking area, around the building and at the entrance. There will be one ground mounted sign at the entrance. All agency approvals have been received.

Discussion and Comments: Mr. Reeder asked if the developer has considered solar on the roof of the warehouse. A representative of the developer stated the building will be solar-ready.

Motion and Vote: Mr. Reeder made a motion to approve the site plan as presented. The motion was seconded by Mr. Goetz and unanimously approved.

OTHER BUSINESS

Martin and Colleen Katz [RZ-23-005]

Mr. Allen presented a request from Martin and Colleen Katz to fully terminate the Rural Business floating zone that was applied to their property at 8524 Fahrney Church Road. He explained that this lot was subdivided from the San Mar Children's Home in 2022. The property owners want to construct an addition to their home; however, the RB zoning designation significantly limits the development of this property.

Motion and Vote: Mr. Goetz made a motion to recommend approval to fully terminate the Rural Business floating zone on property located at 8524 Fahrney Church Road to the Board of County Commissioners. The motion was seconded by Mr. Semler and unanimously approved with Commissioner Wagner abstaining from the vote.

Forest Conservation Easement Candidate

Mr. Kendle presented a request to use Forest Conservation payment-in-lieu of funds to purchase forest conservation easements on approximately 64 acres of existing forest. The first parcel is owned by Phil Baker-Shenk located at 6720 Remsburg Road and contains 6.87 acres of existing forest. The Department of Natural Resources dates some of trees on this site to the Civil War era and the Battle of Antietam. This parcel would protect a main drainage channel that discharges directly to the Potomac River and adjoins a C&O Canal NHP easement which would connect to hundreds of acres of wildlife corridors and other protected lands.

Mr. Kendle explained the second parcel is owned by David Foltz and is located at 6500 Sharpsburg Pike. This section of forest (56.4 acres) also contains trees that date to the Civil War era and the Battle of Antietam. This parcel is one of only two documented areas in Washington County known to host the October Ladies' Tresses Orchid (important to pollinators). This easement would protect two perennial streams that discharge directly to the Potomac River, joins the Antietam Battlefield, and adjoins the previously presented Phil Baker-Shenk easement. The cost to purchase these two easements is \$161,748.

Motion and Vote: Mr. Goetz made a motion to recommend approval of the purchase of these two easements using payment-in-lieu funds to the Board of County Commissioners. The motion was seconded by Mr. Semler and unanimously approved with Commissioner Wagner abstaining from the vote.

Update of Projects Initialized

Ms. Kinzer provided a written report for the land development plan review projects (71 total) initialized during the month of June including 3 site plans and 4 preliminary-final plats.

Comprehensive Plan Update

Ms. Kinzer announced the Comprehensive Plan 2040 was released on July 25th with a presentation to the Board of County Commissioners, a press release by the PR Department, and an e-mail to approximately 100 stakeholders. Staff will be making bi-weekly posts on Facebook to remind citizens to make comments.

We discussed a series of public input meetings to be hosted by the Planning Commission around the County. A list of meeting dates, times and locations was distributed to members. A power point presentation will be played at each meeting and will be posted on-line. Maps will be displayed around each meeting room including the Protected Lands Map, Septic Tiers Map, Highway Map and Land Use Map. There will be a minimum of 4 staff members present at each meeting to take comments. Handouts will be available for citizens to take home. These meetings will not be live-streamed. Commission members are highly encouraged to attend these meetings.

UPCOMING MEETINGS

1. Washington County Planning Commission regular meeting, September 11, 2023 at 7:00 p.m.

ADJOURNMENT

Mr. Semler made a motion to adjourn the meeting at 8:05 p.m. The motion was seconded by Ms. Shank and so ordered by Mr. Kline.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "David Kline", followed by a horizontal line.

David Kline, Vice-Chairman