

**WASHINGTON COUNTY PLANNING COMMISSION  
REGULAR MEETING  
February 6, 2023**

The Washington County Planning Commission held its regular monthly meeting on Monday, February 6, 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: Clint Willey, Chairman, David Kline, Denny Reeder, Jeff Semler, Terrie Shank and Ex-officio Randy Wagner. Staff members present were: Washington County Department of Planning & Zoning: Jill Baker, Director, Jennifer Kinzer, Deputy Director, Lisa Kelly, Senior Planner, Travis Allen, Comprehensive Planner, Heather Williams, Comprehensive Planner, and Debra Eckard, Administrative Assistant.

**CALL TO ORDER**

The Chairman called the meeting to order at 7:00 p.m.

**MINUTES**

**Motion and Vote:** Mr. Reeder made a motion to approve the minutes of the December 5, 2022 Planning Commission public input meeting and regular meeting as presented. The motion was seconded by Mr. Kline and unanimously approved.

**Motion and Vote:** Ms. Shank made a motion to approve the minutes of the January 9, 2023 Planning Commission regular meeting as presented. The motion was seconded by Mr. Semler and unanimously approved.

**MODIFICATIONS**

**Grossnickle Construction [OM-22-011]**

Ms. Williams presented for review an Adequate Public Facilities Ordinance (APFO) modification request to allow the approval of a development plat that does not meet the requirements of the APFO. The subject site is located adjacent to and to the south of 5935 Clelandtown Road (Tract A). The applicant is proposing to construct a single-family dwelling on Tract B which is currently labeled "Not for Development" (Plat Folio 5611). Staff is recommending denial of the request based on the County Engineering Department's review of this request which deemed the road inadequate for further development due to its current width which is an average of 14 feet wide with points as narrow as 12.5 feet in some areas. The minimum required pavement width is 16 feet per APFO regulations.

**Discussion and Comments:** Mr. Ed Schreiber of Frederick, Seibert & Associates (the consultant) explained that in 1998, Tract A was created as a lot "Not for Development"; however, in 2001 it went through a similar modification process and the owner was permitted to construct a home on the site. There was a brief discussion regarding the Engineering Department's recommendation that the developer be required to widen the road along the full frontage of the proposed lot. Members expressed their opinions that widening the road could potentially lead to more problems because people would park in this wider area.

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

**SITE PLANS**

**Mt. Aetna Conference Center [SP-22-008]**

Ms. Kelly presented for review and approval a site plan for the proposed Mt. Aetna Conference Center to be located on the campus of the Highland View Academy on Mt. Aetna Road. The proposed center will be served by a water system that is currently maintained by the County's Water Quality Department and an on-site sewer treatment facility owned and maintained by Highland View Academy. There will be 815 parking spaces provided; 598 spaces are required. Solid waste will be transferred to an enclosed dumpster situated along the side of the building. Freight and delivery will be approximately two trips per week. There will be no new employees or students. The conference center will not be used by organizations

other than the Chesapeake Conference of Seventh Day Adventists and Highland View Academy. There will be pole mounted lights in the parking lots and building mounted lights at all entry ways. Landscaping will be installed around the building and throughout the parking lot. Forestation requirements will be met by retaining existing forest on-site for a total of 3.50 acres. All agency approvals have been received.

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

### **FOREST CONSERVATION**

#### **Mt. Aetna Conference Center [SP-22-008]**

Mr. Allen presented for review and approval a request to remove 11 specimen trees from the Mt. Aetna Conference Center site located at 21710 Academy Terrace. He reminded Commission members that specimen trees are trees greater than 30" in diameter and are a priority for protection as outlined in Article 8 of the Forest Conservation Ordinance. The removal of specimen trees requires a variance under Article 15 of the FCO and the applicant must demonstrate an existing hardship that would warrant the removal of the trees. The applicant must also show that the removal of these trees would not adversely affect water quality.

**Motion and Vote:** Mr. Reeder made a motion to approve the request to remove 11 specimen trees as presented. The motion was seconded by Mr. Kline and unanimously approved.

### **OTHER BUSINESS**

#### **Proposed Text Amendment – Warehouses and Truck Stops**

Ms. Baker presented information to the members regarding their request to amend the Zoning Ordinance as it relates to warehouse and truck stop uses. She began by stating that staff has been researching the requirements set by other jurisdictions regarding solar energy installation on large commercial/industrial buildings. She noted that most states are not requiring solar but rather incentivizing the use of solar. For example, in 2021 the State of New Jersey passed a requirement that 40% of the total roof space of all warehouses shall be "solar ready". Requiring the installation of solar panels would be an issue for Building Codes; not a land use issue. There are states that are contemplating requiring the installation of solar on new construction as part of their energy codes. The State of Maryland does have an energy code within its building code, but solar installation is not required. Members briefly discussed this idea and alternatives for other clean energy sources on-site, such as solar arrays in parking lots. Members believe there needs to be exceptions (such as warehouses with large cooling units on the roof) for structures that cannot comply with this requirement. Members discussed the size of the warehouses where solar ready roofs would be required.

**Consensus:** On warehouses of 200,000 square feet or more the County should require 40% of the roof to be "solar ready".

Continuing the discussion of warehouses, Ms. Baker explained that she has researched many jurisdictions' limitations on the size of warehouses for determining permitted or conditional uses. She stated that she has been unable to find any other examples of jurisdictions that use the size of a structure to determine whether the use is permitted, conditional, or not permitted. She noted that the intent of the Commissioners setting a specific square footage, such as 1,000,000 square feet or larger, to be a special exception use, allows the public to voice their concerns. Members discussed the public perception of warehouses in general and came to the consensus that the majority of complaints received have been in opposition to warehouses in general regardless of their size. There was also a consensus that they could not determine at what size a warehouse rises to the level of warranting a public hearing.

The next set of concerns discussed by Ms. Baker were related to the screening and buffering of warehouses to protect the view from residential properties and the highway. Comments have been received from the general public that these large structures should be set back from highways and screened in a manner that limits the visual impact of these large structures. Public comments received have also suggested that buildings be painted with murals or other visually enhancing techniques. Several members commented that they did not believe that requiring screening would alleviate these concerns from citizens due to the height and size of many of the warehouses. There was an idea presented to require more on-site forest mitigation and/or retention which might help the appearance. Members did not support the idea of requiring painting or other methods of outside surface treatment because the County does not regulate aesthetics.

Another point of discussion regarding warehouses was the number of parking spaces that are required for warehouses. Ms. Baker explained that many of the warehouse developers have requested and received variances from the Board of Appeals to reduce the number of parking spaces for employees. Staff is recommending a reduction in the amount of employee parking required for warehouse uses due to changes in technology and the desire to reduce impervious surface. Members agreed with Staff's recommendation.

To summarize the discussion on warehouse uses in the proposed text amendment, staff will prepare proposed text amendment language to present at the next Planning Commission meeting that will cover the issues discussed as follows:

- On large commercial/industrial buildings equal to or greater than 200,000 sq. ft., a minimum of 40% of the gross roof area shall be established as "solar ready" unless exempted.
- Warehouses will be a principal permitted use (not a special exception) regardless of size
- Reduce the number of employee parking spaces for warehouses
- Do not require landscaping or buffering for warehouses but investigate further requirements for on-site forest mitigation.

Members then discussed the definition of a truck stop and a convenience store. Ms. Baker stated that as part of staff's research, it was discovered that nearly all reviewed jurisdictions with issues related to truck parking and visitation boiled down to the definition of a truck stop vs. a convenience store. Included in the research provided to the members were the current definitions for Washington County and several other jurisdictions around the country.

After some discussion, members stated that truck stops should be a principal permitted use in the HI district. They would like the following text added to the definition that states, "The facility allows for the temporary, daily parking (excluding the loading and unloading of cargo) of trucks which are en route to or from a destination along an interstate highway". Staff will prepare proposed language to present at the next meeting.

#### Update of Projects Initialized

Ms. Kinzer provided a written summary of the projects submitted in December 2022 as follows: 27 permit applications and 27 land use projects including 4 preliminary/final plats and 2 site plans.

#### WORKSHOP

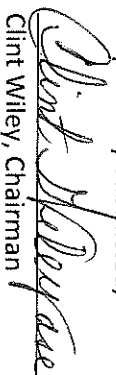
#### Comprehensive Plan Update

Ms. Baker announced that she has assigned four staff members to prioritize completion of the draft Plan, which we hope to present to the Planning Commission in March. We anticipate releasing the draft in April to the public and to begin holding public meetings throughout the County in April and May.

#### ADJOURNMENT

Mr. Kline made a motion to adjourn the meeting at 8:40 p.m. The motion was seconded by Mr. Reeder and so ordered by the Chairman.

Respectfully submitted,

  
Clint Wiley, Chairman