

**WASHINGTON COUNTY PLANNING COMMISSION
REGULAR MEETING
April 3, 2023**

The Washington County Planning Commission held a public input meeting and its regular monthly meeting on Monday, April 3, 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, Denny Reeder, BJ Goetz, Jeff Semler, Teresa Shank and Ex-officio Randy Wagner. Staff members present were: Washington County Department of Planning & Zoning: Jill Baker, Director; Jennifer Kinzer, Deputy Director; and Debra Eckard, Administrative Assistant.

CALL TO ORDER AND ROLL CALL

The Vice-Chairman called the public input meeting to order at 7:00 p.m.

PUBLIC INPUT MEETING

RZ-23-001 – Text Amendment (Convenience Stores)

Ms. Baker presented a proposed text amendment to amend several sections of the Zoning Ordinance to change the definition of a convenience store, provide zoning districts where said use shall be permitted and to provide options for tractor trailer/heavy duty truck parking at these types of facilities. She noted that the 5,000 square foot minimum associated with the square footage of the structure and square footage of the canopy has been eliminated in the definition of a convenience store. Convenience stores were not included as a specific permitted use in the urban area zoning districts during the comprehensive rezoning of the Urban Growth Area in 2016. Therefore, to correct this oversight, the use is being included in the BL (Business Local) and BG (Business General) districts and will also be permitted in the HI (Highway Interchange) zoning district by cross-reference.

Ms. Baker explained that many new convenience store models include a request for truck parking. These requirements will be addressed in the parking section of the Zoning Ordinance and is proposed as follows: the maximum allowable truck spaces cannot exceed 3.5 spaces per 500 square feet of gross leasable area of the convenience store; truck parking facilities must maintain an independent internal circulation pattern separate from automobile traffic; and truck parking facilities will not be permitted at a convenience store located in a Rural Business district.

Public Comment

- Michael Tedrick, 11423 Ernstville Road, Big Pool – Mr. Tedrick expressed his opinion that the County is losing its historic integrity by allowing more convenience stores and large warehouses. He believes the County should preserve more of its land and historic elements. He expressed concern for citizen's safety because of trucks parking along the ramps and interstates and emergency vehicles being unable to use the shoulder of the roadways if needed. Mr. Tedrick stated that public safety should be the County's first priority.
- Robert Harsh, 15834 Falling Waters Road, Williamsport – Mr. Harsh is opposed to allowing the amendment citing safety concerns due to the number of accidents in the County since I-81 was constructed.
- Ron Brais, 15740 Falling Waters Road, Williamsport – Mr. Brais is opposed to tractor trailer parking on public or private streets in any residential district. He believes this would cause a lot of safety issues.
- Barbara Hovermill, 16286 Spielman Road, Williamsport – Ms. Hovermill expressed her opinion that the Planning Commission needs to carefully consider these changes and continue to keep the public informed of any and all proposed changes.
- Brenda Shane, 16168 Spielman Road, Williamsport – Ms. Shane expressed concern regarding the proposed parking requirements to allow tractor trailer parking on public or private streets in residential districts. She believes there needs to be specific restrictions for truck parking before this amendment moves forward.
- Jason Divelbiss, 11125 Bemisderfer Road, Greencastle – Mr. Divelbiss explained that he represents several convenience store owners in Washington County and is speaking on their behalf. He expressed his opinion that the requirement for independent internal circulation patterns for trucks is not appropriate for all sites and could be counterproductive. Mr. Divelbiss does not believe that truck parking facilities should be prohibited in association with a convenience store

in the Rural Business district. He noted that the sale of fresh foods was omitted from Article 28A and he recommended deleting “petroleum products” and changing the text to read “gasoline, diesel fuel and other alternative fuels”. In regard to the last sentence in Article 28A, Mr. Dibelbiss recommended changing the language to “food products marketed or sold within the store using a separate name brand restaurant” and should indicate a separate sales area.

- Rob Ferree, 16235 Shaffer Road, Sharpsburg – Mr. Ferree is an employee of Bowman Development. He thanked the Commission for following procedures and holding the public input meeting and for proposing language to clarify convenience stores. He noted that convenience stores are getting larger and truck parking areas are in demand because truck drivers need a place to get fuel, food and to rest. Mr. Ferree noted that if a convenience store is located along a State highway, it will meet and possibly exceed all requirements set forth by the State Highway Administration making the roadway safer for everyone.
- Ginger Griffith, 17103 Tower Drive, Williamsport – Ms. Griffith expressed concerns regarding truck parking issues. She believes that truck drivers need a place to rest; however, she believes truck parking facilities should be located separately from a convenience store. She also believes there should be different levels of convenience stores; however, we need to maintain the historic integrity of the County. Ms. Griffith is opposed to trucks parking along private and public streets.

The public input meeting was closed at 7:30 p.m.

Discussion and Comment by Planning Commission: There was a brief discussion regarding the removal of the following text from the residential zoning categories: “The parking of tractor trailers, either separately or in tandem, shall be prohibited on public or private streets in this District”. Ms. Baker stated this language should have been moved to Article 22.15 as item (b) and was simply an oversight by staff. By moving the text to Article 22.15, truck parking on public or private streets would be prohibited from all zoning districts. There was a brief discussion regarding the enforcement of this regulation. Short-term parking along private or public streets can be enforced through the Zoning Ordinance; however, long-term parking or parking along ramps or State highways is a police matter if “no parking” signs are installed. The County cannot enforce these types of situations.

Mr. Goetz expressed his opinion that “alternative fuel sources” should be added to Article 28A. There was a brief discussion regarding the chain or branded restaurants text included in the definitions. Mr. Goetz expressed his opinion that the text should remain as proposed and not changed per Mr. Dibelbiss’s comments.

Motion and Vote: Ms. Shank made a motion to make the formal recommendation on the proposed amendment at the May Planning Commission meeting when all proposed changes as discussed this evening have been included in the amendment. The motion was seconded by Mr. Semler and unanimously approved with Commissioner Wagner abstaining from the vote and all discussions held during this meeting.

MINUTES

Motion and Vote: Ms. Shank made a motion to approve the minutes of the March 6, 2023 meeting as presented. The motion was seconded by Mr. Semler and unanimously approved.

OTHER BUSINESS

Update of Projects Initialized

Ms. Kinzer provided a written report for 54 land development plan review projects initialized during the month of February including 3 site plans and 5 preliminary/final plats. She also noted there were 70 permits submitted in February.

Comprehensive Plan Update

Ms. Baker noted that copies of the draft of Housing and Mineral Resources chapters of the Comp Plan were distributed this evening. She asked members to review these chapters and provide staff any comments. We will begin discussions during the May meeting the schedule of public meetings to be held. Members will need to decide dates, times and where they would like public meetings to be held.

UPCOMING MEETINGS

1. Washington County Planning Commission meeting, May 1, 2023 at 7:00 p.m.

Consensus: Following discussions of members' schedules, it was decided that the Planning Commission would hold its regular meeting on Monday, May 8 beginning at 6:00 p.m. to accommodate a public input meeting regarding truck stops and an extensive agenda.

ADJOURNMENT

Mr. Goetz made a motion to adjourn the meeting at 8:15 p.m. The motion was seconded by Ms. Shank and so ordered by the Vice-Chairman.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "David Kline", is written over a horizontal line.

David Kline, Vice-Chairman