

**WASHINGTON COUNTY PLANNING COMMISSION
REGULAR MEETING
August 5, 2024**

The Washington County Planning Commission held its regular monthly meeting on Monday, August 5, 2024 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

Mr. Kline called the meeting to order at 6:10 p.m.

Planning Commission members present were: David Kline, Jeff Semler, BJ Goetz and Ex-officio County Commissioner Randy Wagner. Staff members present were: Washington County Department of Planning & Zoning: Jill, Baker, Director; Jennifer Kinzer, Deputy Director; Misty Wagner-Grillo and Scott Stotelmyer, Planners; Kyla Shingleton, Comprehensive Planner; and Debra Eckard, Office Manager.

NEW BUSINESS

MINUTES

Motion and Vote: Commissioner Wagner made a motion to approve the minutes of the June 17, 2024 Planning Commission regular meeting as presented. The motion was seconded by Mr. Goetz and unanimously approved.

Motion and Vote: Mr. Goetz made a motion to approve the minutes of the July 1, 2024 Planning Commission regular meeting as presented. The motion was seconded by Mr. Semler and unanimously approved.

PRELIMINARY CONSULTATION

Black Rock Remaining Lands [PC-24-004]

Ms. Wagner-Grillo presented a preliminary consultation for the remaining lands at Black Rock. The 219-acre parcel is located along the north side of Mt. Aetna Road, east of Robinwood Drive. The property is currently zoned RT (Residential Transition). The Planning Commission approved the clustering provision for this development at its May 6th meeting. The developer is proposing 648 residential lots as follows: 336 single-family units, 76 Duplex Type 1 units, and 236 Duplex Type 2 units. Ms. Baker noted that in order to use the clustering provision, lot sizes have been reduced; however, the proposed uses are those permitted in the RT zoning district.

Discussion and Comments: Mr. Kline recommended that the developer discuss the viability of building on the lot that backs up to the Potomac Edison substation in case expansion of the substation is needed in the future.

Ms. Baker noted there is a proposed water tank to be located on the property to address water pressure issues in the area.

Mr. Goetz asked about access to the development. Ms. Baker stated there is access from Mt. Aetna Road and a secondary access through the Black Rock subdivision. She explained that the road going through the subdivision has a larger right-of-way and will be striped as the development progresses.

Ms. Baker noted that the Board of Education submitted a comment on this concept plan expressing interest in locating a school site in this area. Currently, the development is split in two different school districts.

SITE PLANS

Oliver Drive Retail Building [SP-23-047]

Ms. Wagner-Grillo presented for review and approval a site plan for a proposed retail building to be located at 13727 Oliver Drive. The 1.97-acre parcel is currently zoned HI/AP (Highway Interchange

with Airport overlay). The developer is proposing a 9,600 sq. ft. retail building for the Maryland Wine House. The hours of operation will be 10 am to 9 pm, 7 days per week. Required parking is 50 spaces; 68 spaces will be provided. Eight employees per shift are proposed. A 60 sq. ft. pole mounted sign is proposed. Lighting will be pole mounted and building mounted; a photometric plan has been submitted. There will be daily deliveries. Water service will be provided by the City of Hagerstown; sewer service will be provided by Washington County. Solid waste will be collected in a dumpster and removed by a private hauler. Landscaping is proposed around the building and parking areas. Storm water management will be an underground facility. Forest Conservation requirements have been met by a payment-in-lieu of planting. All agency approvals have been received.

Motion and Vote: Mr. Semler made a motion to approve the site plan as presented. The motion was seconded by Commissioner Wagner and unanimously approved with Mr. Goetz abstaining from the vote.

CM Investments [SP-23-029]

Mr. Stotemyer presented for review and approval a site plan for two 7,800 sq. ft. flex buildings to be constructed on an existing site located at 132 Old National Pike. Access to the property is provided from Old National Pike. Water and sewer services will be provided by the Town of Funkstown. Hours of operation will be 8 am to 8 pm. Lighting will be pole mounted and building mounted. Proposed signage will be building mounted. Required parking is 112 spaces; 114 spaces will be provided. Forest conservation requirements were previously addressed. All agency approvals have been received.

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

Take 5 Oil [SP-23-031]

Mr. Stotemyer presented for review and approval a site plan for a proposed 1,336 sq. ft. oil change facility to be located at 10306 Sharpsburg Pike. The property is currently zoned HI (Highway Interchange). There will be one access point from Sharpsburg Pike. Sewer service will be provided by Washington County; water service will be provided by the City of Hagerstown. Signage will be building mounted and pole mounted. The proposed sign does not meet the State Highway Administration's setbacks; therefore, the developer is requesting conditional approval of the site plan contingent upon the sign meeting all zoning requirements. Required parking is 7 spaces; 8 spaces will be provided. Hours of operation will be Monday thru Friday, 7 am to 7 pm, Saturday 8 am to 6 pm and Sunday 9 am to 5 pm. The site is exempt from Forest Conservation requirements. All agency approvals have been received.

Motion and Vote: Commissioner Wagner made a motion to approve the site plan contingent upon approval of the sign setbacks. The motion was seconded by Mr. Semler and unanimously approved.

OTHER BUSINESS

Update of Projects Initialized

Ms. Kinzer provided a written report for land development plan review projects initialized during the month of June which included two preliminary/final plats and three simplified plats.

Proposed Text Amendment – Cannabis Facilities

Ms. Baker and Ms. Shingleton presented a proposed text amendment to address recreational cannabis facilities in the County. These businesses will be treated as a retail use under the guidelines of the County's Zoning Ordinance. Ms. Baker explained that the proposed definitions are taken directly from State law. She stated there are three types of licenses:

1. Dispensaries – retail sales; cannot grow or process cannabis
 - a. Standard Dispensaries – large facilities (there will be 4 in the County) which operate a retail space that sells cannabis or cannabis products
 - b. Micro Dispensaries – delivery only with no more than 10 employees
2. Processors – take in raw product and create a value-added product

- a. Standard Processor – can process more than 1,000 lbs. of cannabis per year
 - b. Micro Processor – can process no more than 1,000 lbs. of cannabis per year
3. Growers – there are both indoor and outdoor growers. Ms. Baker noted that the majority of growers use indoor facilities due to security requirements, such as security cameras, lighting, fencing, guards, etc.
- a. Standard Grower – grower operates more than 10,000 sq. ft. but less than 300,000 sq. ft. (indoor canopy)
 - b. Micro Grower – grower does not grow more than 10,000 sq. ft. (indoor canopy)

Ms. Baker noted that outdoor growing is not listed in the proposed amendment because it is considered an agricultural crop.

Ms. Baker explained that Maryland State law dictates that a licensed dispensary may not locate within 500 feet of an existing primary or secondary school, a licensed childcare center or a registered family care home, recreational centers, libraries, public parks or places of worship. The law also states dispensaries may not be within 1000 feet of another dispensary.

Ms. Baker noted that in the proposed amendment, processing facilities would be considered a manufacturing use and would be permitted in the A(R), EC, P and RB zoning districts. After reviewing the proposed Table of Land Use Regulations, the Planning Commission decided to remove the Micro Dispensary as a Special Exception Use in the RV zoning district. Also, proposed in the amendment, a dispensary would be a permitted use in the BL, BG, HI and SED zoning districts. Processors are not included in the BL zoning district because this district is meant for small, neighborhood businesses. Processors would be permitted in the IR and IG zoning districts and a special exception use in the BG district. Following a discussion the Planning Commission recommends that processors should be a special exception use in the A(R) zoning district.

Comp Plan Update

Ms. Baker began discussions regarding the rural area land use designations. There are currently three land use designations in the rural areas of the County: Environmental Conservation (1 dwelling unit per 20 acres or 1:20), Agricultural Rural (1 dwelling unit per 5 acres or 1:5), and Preservation (1 dwelling unit per 30 acres or 1:30). Staff is considering eliminating the Preservation land use category and changing the Agricultural Rural category to 1:10 (1 dwelling unit per 10 acres). Ms. Baker reminded members that because the County has not adopted a septic tiers map, landowners are currently limited to a maximum of seven lots. Following a brief discussion, members asked staff to develop a different map showing the areas being discussed and bring the proposal back to the Commission at a later date.

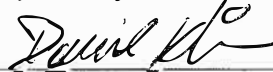
UPCOMING MEETINGS

1. September 9, 2024, 6:00 p.m. – Washington County Planning Commission regular meeting

ADJOURNMENT

Mr. Goetz made a motion to adjourn the meeting at 7:45 p.m. The motion was seconded by Mr. Semler and so ordered by Mr. Kline.

Respectfully submitted,



David Kline, Vice-Chairman