



CITY OF HAGERSTOWN, MARYLAND

Planning and Code Administration Department

Office of the Secretary
Maryland Department of Planning
Attn: David Dahlstrom, AICP
301 W. Preston St.
Baltimore, Maryland 21201-2305

Re: Annual Report Calendar Year 2018

Dear Mr. Dahlstrom:

The Hagerstown Planning Commission approved the following Annual Report for the Reporting Year 2018 as required under §1-207(b) of the Land Use Article on August 14, 2019. In addition, this report has been filed with the local legislative body.

1. Number of new Residential Permits Issued inside and outside of the Priority Funding Area (PFA), §1-208(c)(1)(i) and (c)(3)(ii):

**Table 1: New Residential Permits Issued
Inside and Outside the Priority Funding Area (PFA)**

Residential – Calendar Year 2018	PFA	Non - PFA	Total	
# New Residential Permits Issued	40	0	40	

2. Is your jurisdiction scheduled to complete and submit to Planning a 5-Year Mid-Cycle comprehensive plan implementation review report this year, as required under §1-207(c)(6) of the Land Use Article? If yes, please submit the 5-Year Report as an attachment. Y N

Note: To find out if your jurisdiction is scheduled to submit this report, please consult the Transition Schedule section located at: <https://planning.maryland.gov/pages/OurWork/compPlans/ten-year.aspx>

3. Were there any growth related changes, including Land Use Changes, Annexations, Zoning Ordinance Changes, Rezoning, New Schools, Changes in Water or Sewer Service Area, etc., pursuant to §1-207(c)(1) of the Land Use Article? If yes, please list or map. Y N

- Annexations 2018

Both annexations are located in the Priority Funding Area (PFA):

- A-2018-01: Foggy Bottom Farm- 101.03 acres, City zoning Agricultural Transition (AT) and Industrial Mixed-Use (I-MU)
- A-2018-02: Antietam Creekbed- 1.47 acres, City zoning Agricultural Transition (AT)

- Zoning Ordinance Changes 2018:
 - Land Management Code Text Amendments Package 2018 (effective June 13, 2019): involves a wide range of minor and more substantial changes to the code that are intended to serve a public purpose or to clarify existing sections of the code. All amendments were grouped into the following themes:
 - Protecting neighborhood character and enhancing safety in our community
 - Require a sidewalk between public sidewalk and entrance doors for commercial development and apartment complexes
 - Define camping and campgrounds and allow only in AT (Agricultural Transition) zone
 - Require inclusion of Crime Prevention Through Environmental Design (CPTED) principles in new development
 - Design standards for parking in the yards of residential development
 - Allow Zoning Administrator to revoke zoning approval if the owner does not develop, maintain, or use the property as approved
 - Increasing housing choices and diversity
 - Allow Mansion House Apartments in smaller pre-1956 buildings in historic districts in RMED, RO, and CC-MU zones
 - Allow non-conforming mixed-use buildings with vacant storefront to convert storefront to one dwelling unit if approved by the Board of Zoning Appeals
 - Redefine Rooming House and allow in existing buildings under certain conditions in RH, RO, CG, and outside Smart Growth A&E District portion of CC-MU
 - Define Group Home, Halfway House, and Alternative Living Unit and allow in zoning districts as specific by State Code
 - Delete Residential Facilities with in-house professional care for up to three residents with mental and/or physical disabilities and replace with new terminology
 - Expanding economic opportunity and permitting greater flexibility in the code
 - Allow Artist Studios in N-MU, CC-MU, CL, CG, CR, I-MU, IR, IG, Conversion district, and Local Conversion district
 - Allow Photography Studios in I-MU, IR, IG, and Conversion district

- Change definition of Brew Pub to remove the requirement that brewing be an accessory activity. Allow Distillery Pubs and Wine Pubs where Brew Pubs are allowed
 - Modify how separation of use requirements are measured for multi-use properties such as shopping centers. Instead of measuring property line to property line, it would be occupied space to occupied space
 - Provide more flexibility in POM district for determining maximum percentage of occupied space allowed for restaurant, retail, etc., in office parks
 - Allow Conversion District and Local Conversion District overlays on eligible properties if building was built prior to 1977, rather than 1956
 - Amend religious sanctuary to include wedding chapel
 - Reduce percentage of construction that has to be underway to prevent a PUD approval from expiring. At least 50%
 - Extend site plan approval period from 2 years to 3 years before it expires if construction did not occur
 - Expand upon the waiver provisions granted to the Planning Commission when reviewing subdivisions
 - Add Multi-purpose arena for sporting events, entertainment, and other assembly events and allow in CC-MU, CJ, CR, INST, and PUD
- Setting clear expectations for the public and investors
 - When land is purchased or donated for public improvements- variance not required for remainder of parcel if it falls below code requirements
 - Any new parking approved under a site plan must be asphalt, concrete or similar solid surface if located in front or side yard, adjacent to public street, or for use by public
 - Allow apartment buildings in CL district in existing and new buildings
 - Non-conforming uses cannot be expanded to another property
 - Detached accessory buildings (sheds, garages) shall not be located in front of the primary structure
 - Modified definition of earth tone for clarity; and where buildings are required to be restricted to earth tones, allow sparing use of brighter colors to accent architectural features and for signage
 - Require stealth-designed cell towers to meet setback requirements of non-stealth design towers

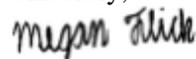
- Require each dwelling to be located on its own lot and each apartment building to be on its own lot
 - Require minimum of 20 acres for a PUD, instead of 5 acres. This ensures enough land to create a new neighborhood with a mixture of dwelling types, commercial uses, and open space amenities
 - Require all dwelling units to meet minimum square footage requirements currently required for apartments in mixed-use zoning districts
 - For Live-Work units require larger size to accommodate combination of uses
- Improving resiliency from environmental hazards
 - Make it clear that site plans – not just subdivisions- must meet the floodplain management requirements
 - Require public and private streets designed and constructed as part of a subdivision to have the driving surface above the base flood elevation by at least one foot
 - Require private streets, driveways, alleys, other vehicular access and parking areas, designed and constructed as part of a site plan, to have the driving surface above the base flood elevation, unless approved otherwise by the Board of Zoning Appeals
- Providing suitable locations for social and medical services and at intensities consistent with surrounding neighborhoods
 - Create new Institutional (INST) zone to provide locations for institutional uses to serve the community
 - In future Comprehensive Rezoning- rezone large-scale institutional areas in the RMOD and RMED zones to INST
 - Modify locations where Hospitals and Nursing Homes are permitted to remove from RMOD, RMED, RO, CC-MU, and CL, and allow in RH, CG, CR, POM, INST, and I-MU
 - Modify definition of Assisted Living Facility and create definition of Rehabilitation Center- allow where Nursing Homes are allowed
 - Create definition for Outpatient Substance Abuse Center and allow where Nursing Homes are allowed
 - Create definition for Adult Day Care with Vocational Center and allow where light assembly is permitted

- Create definition for Continuing Care Retirement Community and allow on a minimum 20-acre tract in RH, INST, and PUD overlay zones
- Streamlining the process and clean-ups to the code
 - Remove requirement for zoning map to be recorded in Courthouse. Not a state requirement
 - Add “or she” or “or her” to any references to “or he “ or “or him”
 - Change references to preliminary development plan to development plan
 - Increase non-compliance penalty in Forest Conservation code from 30 cents to 50 cents per square foot. Penalty should be greater than the fee-in-lieu of planting amount
 - Change graphic to sign since this term is more commonly used by the public and in the industry
 - Amend definition of triplex and quadraplex to reduce confusion with definition of townhouse
 - Create signature block templates for Planning staff signature on development plans, sketch plans, and site plans; and require pdf plans of final approved site plans and of final as-built conditions
 - Provide more direct reference to the landscaping standards regarding landscaping of fences adjacent to streets
 - Cross reference requirements for site plan standards to improvements proposed as part of a development plan
 - Correct notation editing errors for RO and POM uses in the use chart
 - Add car rental facilities to the design standards for car sales facilities
 - Correct references to sketch pan and concept plan throughout the code
 - Make it clear that in the Mixed-Use District there are minimum and maximum setback, area, and height requirements
 - Clarify use chart to make it clear that auto sales includes new and use cars, etc.
 - Add medium density residential areas with threshold percentage of 20% to Afforestation and Reforestation charts in the Forest Conservation code to be consistent with State code

- Add buffer landscape standard for development adjacent to municipal boundary- apply City zone that is comparable to County zone outside the boundary to determine buffer requirement
 - Rearrange Fence standards section for better clarity
 - Create provision for Planning Commission to review plan to add Forest Conservation areas inside the city for a project developing outside the City
 - Create definition for Private Street to make distinction with driveway. No change to prohibition on private streets
 - Add live performance theaters engaged in adult entertainment to definition of adult entertainment business
 - Correct reference to minor site plan and change to minor subdivision as type of improvements that are exempt from landscaping and parking area design requirements
 - Correct use chart's distribution of residential uses and mixed-use buildings in CC-MU, N-MU, RO, C, LC, and PUD- oversight from prior amendments.
- Rezoning 2018:
 - ZM-2017-02: 1301 Potomac Avenue- Eklund Family LLC
 - Rezoning (Conversion District Overlay) to approximately 0.256 acres zoned RMOD (Residential- Moderate Density)
 - To convert existing electronics store to medical offices (dental practice)
 - Effective April 26, 2018
 - Staff begun the preliminary stages of initiating a comprehensive rezoning, which will occur in CY 2019
- New Schools
 - Barbara Ingram School of the Arts (BISFA) expansion:
 - Washington County Public Schools (WCPS) is opening a new facility addition in downtown Hagerstown; and
 - In the fall of 2020, WCPS will offer expanded course programs on computer game development and animation and digital communications.
 - University System of Maryland at Hagerstown (USMH) expansion:
 - The University System of Maryland at Hagerstown (USMH) plans to expand its enrollment of 500 students by as much as 50% to 750 students; and

- The growth of existing programs will require USMH to reclaim space it currently provides to BISFA in addition to adding space in nearby buildings.
 - Changes in Water or Sewer Service Area
 - There have been no changes to the water or service area, but the updated Water & Wastewater Policy (2018) is attached
4. Did your jurisdiction identify any recommendations for improving the planning and development process within the jurisdiction? If yes, please list. Y N
- The City of Hagerstown Planning and Code Administration have launched a social media presence on Facebook, Instagram, Twitter, and LinkedIn in addition to creating a podcast called Hub-Bub. This is all part of our “positive messaging campaign” which aims to open lines of communication with the public to encourage positive feedback for our department.
 - To be as business friendly as possible while undertaking our core responsibilities, PCAD has made a large number of improvements over the past couple of years to how we conduct business to share more information and reduce red tape that frustrates our customers. Examples include acceptance of digital submittals, allowing public tracking online of progress of permits and violations, giving advance notice of expiring permits, creation of how-to brochures for sample residential permit projects, etc.
 - PCAD Enhancements to be More Business Friendly document attached
5. Are there any issues that Planning can assist you with in 2019? If yes, please list. Y N
6. Have all members of the Planning Commission/Board and Board of Appeals completed an educational training course as required under under §1-206(a)(2) of the Land Use Article? Y N

Sincerely,



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