

"Federation Corner" column
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With mega gas stations, location is everything

by Jim Humphrey
Chair, MCCC Planning and Land Use Committee

On April 17 of this year, Zoning Text Amendment 12-07 was introduced in County Council, sponsored by Council members Marc Elrich, Valerie Ervin, Nancy Navarro, Craig Rice, and Hans Riemer. The legislation would add standards for Board of Appeals' approval of high volume automobile filling stations, defined as those designed to dispense 3.6 million gallons or more of fuel per year.

The new standards would allow such stations only if located at least 1,000 feet from any public or private school, or any park, playground, hospital or other public use, or any use categorized as a cultural, entertainment or recreation use.

When the current standards for automobile filling stations were enacted in county law decades ago, so called "mega stations" did not exist. Those standards did not anticipate a time when a single gas station could dispense 3.6 million gallons or more of fuel per year. But now just such a station is being considered at the new Costco store now under construction in the Westfield Wheaton Plaza shopping center.

These mega gas stations represent a huge increase in intensity of this type of land use. At present, the normal sized automobile filling stations in Wheaton are operating at 27% capacity, and serve an average of 34 cars an hour. By comparison, a mega gas station serves an average 127 cars an hour.

At their June 11 meeting, Montgomery County Civic Federation delegates voted by overwhelming majority to endorse Council approval of ZTA 12-07 as introduced. I presented the Federation position in testimony to the Council at the public hearing held this past Tuesday evening, June 19.

The Federation is not asking the County Council to altogether prohibit these mega gas stations from locating in the county. We understand why some may think such stations would be a welcome addition in the county, since they can offer gasoline at relatively lower prices than their smaller, lower volume competitors. But caution should be exercised in creating standards for location of these stations, to avoid any possible negative impacts on human health or the environment.

Consider the unburned gasoline vapors that ordinarily escape into the air during refueling of vehicles, and the exhaust from cars waiting in line for a place at a pump for refueling, and multiple that times the possible 1,000 cars that could frequent a mega station each day. And there is the increased number of deliveries from tanker trucks to contend with, too--six or more deliveries each day just to keep a sufficient supply of gasoline on hand to serve that volume of customers.

The Civic Federation is urging Council members to come down on the side of caution on this issue...at least for the time being...by not allowing these high volume refueling stations within 1,000 feet of playgrounds or recreation facilities where residents gather to play tennis or basketball, or to swim--activities during which participants are breathing more quickly and more deeply than in everyday life.

And we ask that Council not allow these high volume refueling stations within 1000 feet of schools and hospitals--facilities that may have air exchange systems to replace the stale air in the building with air from the outside, air that might be laden with toxic chemicals if a mega gas station is located nearby.

This standard is certainly in line with the Federal Environmental Protection Agency's suggested standard for the minimum distance a mega gas station should be located from a school.

A primary purpose of zoning is for officials to decide what uses are compatible with other uses, and at what level of intensity that compatibility can no longer be assured. Another function of zoning is to serve as a tool to protect the public health, safety and welfare. It is easy to see how the standards felt appropriate forty or more years ago to protect a community from possible negative health and safety impacts from a four pump gas station may not be adequate for application to a sixteen pump gas station.

There may come a time when scientific findings indicate we have been overly cautious in applying the proposed 1,000 foot minimum distance standard to mega gas stations, or when some new technology might allow the air at a high volume refueling station to be scrubbed clean before being released into the surrounding community. In the meantime, as we said previously, the Civic Federation urges the Montgomery County Council to come down on the side of caution by enacting the new standards proposed in ZTA 12-07.

For those residents or businesses still wishing to submit comments to the Council on ZTA 12-07, the record will be held open until close of business on Friday, June 29. Comments emailed to county.council@montgomerycountymd.gov will be logged into the official record for the ZTA, and will be distributed to all Council members.

The Council's Planning, Housing and Economic Development Committee has scheduled a work session on ZTA 12-07 for 2 p.m. on Monday, July 9. Due to public interest in the subject, this committee session will likely be broadcast live on county cable television and over the internet via a link on the Council's website. The full Council vote could take place some time in July, before members go on August break.

The views expressed in this column do not necessarily reflect formal positions adopted by the Federation. To submit an 800-1000 word column for consideration, send as an email attachment to theelms518@earthlink.net