



JEFFERSON COUNTY, WEST VIRGINIA

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MEMO

TO: Planning Commission

FROM: Alexandra Beaulieu, Zoning Administrator

DATE: 06-11-19

RE: ZTA19-01, Special Event Facilities

On April 9, 2019, the Planning Commission made a motion to accept into their workplan Quintina Reddinton's request to create a text amendment to allow an event facility (see email dated March 26, 2019).

Staff has received a number of inquiries to establish event venues, typically for weddings and similar types of receptions/celebrations. Since the adoption of Section 8.14 in 2014, which allows for a Rural Event Facility in an existing structure, it has been brought to our attention that utilizing existing barns is challenging due to the requirements set forth in Building Code. When property owners request to construct a new building to establish the land use, Staff realized there was no provision to process such request.

The draft amendment before you today proposes two types of event facilities. An Agricultural Special Event Facility, which mimics the intent of the existing provisions but includes additional provisions for clarity.

The second type of facility is a Special Event Facility, which requires a Conditional Use Permit in the Rural, Residential Growth, and Village zoning districts. It seems reasonable to allow this type of use to process as a Conditional Use Permit to provide public notice in residential areas and is consistent with the County Commission's revision to Appendix C which allows most Commercial Uses to process as a Conditional Use in these zoning districts

This text amendment reflects revisions to Section 2.2, Terms Defined; Section 8.14, Rural Reception/Event Facility [Proposed Special Event Facility]; and Appendix C, Principal Permitted and Conditional Uses Table.

Attachments:

- Quintina Reddington Email, dated 03-26-19 (originally included in the 04-09-19 Packet)
- ZTA19-01, Special Event Facilities

From: [Reddington, Quintina](#)
To: [Planning Department](#)
Subject: Reddington Farm Barn Language
Date: Tuesday, March 26, 2019 3:51:33 PM
Attachments: [Proposed Event Barn Content.docx](#)

Hi Alex,

Below is the language for the event barn we discussed on Monday. Please let me know if this is what you had in mind.

Thank you,

Tina

Proposed Event Barn Content

We are proposing to build a new barn or barn like structure that will house a distillery and will be a multi- purpose facility to allow rental of the space for meetings or events.

- The structure will hold approximately 100-300 people inside depending on the space configuration ie. Tables and chairs vs standing room only.
- The structure will contain restrooms that meet the International Plumbing Code.
- Food will be prepared and served from a permanent or mobile facility that has been approved by the health department.
- If alcohol is served on site, separate from the distillery, all State liquor licensing laws will be.
- Events may include but are not limited to weddings, graduation festivities, corporate retreats/meetings.

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Section 2.2 Terms Defined

| | |
|---|--|
| <u>Rural Reception/Event Facility²⁶</u> | <u>A facility within an existing structure and/or outdoor area for the hosting of events such as weddings and similar events in the Rural, Village, Residential Growth and Residential Light Industrial-Commercial Districts (permitted by Special Exception). Such events are limited to events that involve extended families and friends such as weddings, wedding receptions, birthday events, anniversary events, reunion events and/or family gatherings. No events that involve charging admission or are solely performance events are permitted under this provision.</u> |
| <u>Rural Reception/Event Facility, Small²⁶</u> | <u>A Rural Reception/Event Facility in the Rural District for the hosting of events such as weddings with attendance not to exceed 75 cars at a frequency of no more than one event per month.</u> |
| <u>Special Event</u> | <u>A gathering of individuals for the common purpose of attending a celebration, ceremony, reception, or similar activity for the benefit of someone other than the property owner. No events that involve charging admission or are solely performance events are permitted under this provision. Private parties, gatherings, and similar activities that are not subject to a use agreement between a private individual or group and the homeowner are not defined as a special event.</u> |
| <u>Special Event Facility</u> | <u>A facility where special events are permitted to occur. Special event facilities are subject to a use agreement between a private group or individual and the facility owner. The facility owner may or may not charge a rental fee for the use of the facility. Facilities may operate entirely within a structure, entirely outside of a structure, or both inside and outside a structure.</u> |
| <u>Special Event Facility, Agricultural</u> | <u>A Special Event Facility located on a parcel which the Assessor's Office has classified as "farm use".</u> |

Section 8.14 ~~Rural Reception/Event Facility²⁶~~ Special Event Facilities

The purpose of this section is to create a process by which a property owner in a Rural, Residential Growth, and Village zoning districts may establish a Special Event Facility. A Special Event Facility in any other zoning district may process in accordance with Appendix C.

A. Special Event Facility, Agricultural is permitted in any zoning district on a parcel with an existing farm and shall operate accessory to the property owner's primary residence or caretaker's residence. The minimum acreage required is five acres.

1. A Special Event Facility, Agricultural may be established on a separate legal lot of record adjoining a parcel with farm use status, as long as it is under the same ownership.
2. A Special Event Facility, Agricultural shall not exceed attendance of 250 people, excluding event staff and vendors.
3. A Special Event Facility, Agricultural shall not occur more frequently than once a week and shall be limited to one day, not including set-up and take down. Overnight accommodations may be processed in accordance with Appendix C.

4. All aspects of the land use, excluding parking, but including any permanent structures and any outdoor components such as event tents, portable restrooms, etc. shall be setback 75' feet from all property lines. Parking shall be setback 25' from all property lines.
5. Parking shall be provided at a ratio of one parking space for each two guests allowed on-site and one parking space for each permanent employee who does not reside on premises. Parking may occur on grass if the applicant can demonstrate that the parking will occur on usable ground and identifies how handicapped accessibility (if applicable) will be addressed.
6. The land use shall comply with Section 8.9A.1 and shall apply the Residential Growth District standard to all adjacent lots.
7. If the facility utilizes a private, shared right-of-way, driveway, or easement for vehicular access, the use shall be subject to a public hearing before the Board of Zoning Appeals and process as a Special Exception in accordance with Article 6 shall address the criteria listed in subsection i below.
8. If a site plan is not required pursuant to the Subdivision Regulations, the following documentation shall be submitted as part of the Zoning Certificate application:
 - i. A sketch reflecting the layout of the proposed event shall be submitted to ensure compliance with setbacks and parking. The sketch should delineate the parking area, the event tent(s), location of portable restrooms, and the location of any vendors.
 - ii. A traffic control plan shall be submitted and address the criteria listed in subsection i below.
9. If the frequency of the Special Event Facility, Agricultural exceeds one event per week, or attendance exceeds 250 people, the use shall be subject to a public hearing before the Board of Zoning Appeals and process a Conditional Use Permit in accordance with Article 6 and subsection B below.

If the subject parcel associated with an approved Special Event Facility, Agricultural loses the associated "farm use" classification through the Assessor's Office, the property owner may apply for a Special Exception in accordance with Article 6 to continue operating the land use.

B. A Special Event Facility is a facility that operates independent from any other use on the property.

1. In the Rural, Village, and Residential Growth zoning districts, a Special Event Facility shall process a Conditional Use Permit in accordance with Article 6.
 - i. The minimum lot size shall be five acres. Site development standards shall comply with Appendix B.
 - ii. Parking shall be provided at a ratio of one parking space for each two guests allowed on site and one parking space for each permanent employee.
 - iii. In addition to the criteria set forth in Article 6, Section 6.3, the Board shall evaluate the following:
 1. Proposed frequency;
 2. Number of attendees (maximum building capacity);

3. Signage;
4. Adequacy of parking area. The Board should consider the number of parking spaces as well as the location of the proposed parking area;
5. Adequacy of vehicular access to the property. The applicant shall provide a traffic control plan to address traffic flow and ingress and egress to the property to ensure that traffic will not hinder shared access (if applicable) or create a back-up onto public or private roads; and
6. Impact on adjacent properties.

Parks and Recreation events and facilities are exempt from Section 8.14.

~~A Rural Reception/Event Facility is a facility within an existing structure and/or outdoor area for the hosting of events such as weddings and similar events. Such events proposed in the Rural, Village, Residential Growth, and Residential Light Industrial Commercial Districts are approved by the Board of Zoning Appeals following a public hearing. Such public hearing shall be conducted according to the requirements of Section 6.1C; may be continued according to the requirements of Section 6.1D; and is subject to the notification requirements of Section 6.1B.³²~~

~~Such a land use may be approved based on the Board's evaluation of the proposed frequency and size of the proposed events, adequacy of parking area, size of the subject property, adequacy of vehicular access to the property, impact on adjacent properties, and compatibility with the neighborhood. For events exceeding 300 persons, applicants shall provide a traffic control plan.³²~~

~~A Rural Reception/Event Facility, Small, is a Rural Reception/Event Facility in the Rural District only, for the hosting of events such as weddings with attendance not to exceed 75 cars, at a frequency of no more than one event per month. Such events are permitted administratively provided that if the facility would utilize a private, shared right of way, driveway or easement for vehicular access, a public hearing before the BZA is required.³²~~

~~Approvals of all Rural Reception/Event Facility and Rural Reception/Event Facility, Small shall include a provision that noise at the property line shall conform with Section 8.9A.1 of this Ordinance and shall apply the Residential Growth District Standard to all adjacent lots containing a residence as well as adjacent lots in the Rural District.~~

~~Note that any vendors and/or production staff are not counted in the trip generation for this Section.³²~~

APPENDIX C: PRINCIPAL PERMITTED AND CONDITIONAL USES TABLE^{23, 29, 32, 33, 35, 37}

| Land Use | NC | GC | HC | LI | MI | PND ¹ | OC | R | RG | RLIC | IC | V | Additional Standards |
|--|----|----|----|----|----|------------------|----|----|----|------|----|----|-----------------------|
| Commercial Uses | | | | | | | | | | | | | Sec. 8.9 |
| Antique Shop | P | P | P | P | NP | P | NP | CU | CU | P | P | P | |
| Appliance Sales | NP | P | P | P | CU | P | NP | CU | CU | P | P | NP | |
| Art Gallery or Artist Studio | P | P | P | P | NP | P | P | CU | CU | P | P | P | |
| ATM | P | P | P | P | NP | P | P | CU | CU | P | P | CU | |
| Automobile repair, sales and service | NP | P | P | P | P | P | NP | CU | CU | P | P | CU | |
| Automobile parts, supplies and tire stores | NP | P | P | P | P | P | NP | CU | CU | P | P | CU | |
| Automobile, light truck and light trailer rentals, indoor | P | P | P | P | P | P | NP | CU | CU | P | P | CU | |
| Automobile, light truck and light trailer rentals, outdoor | NP | P | P | P | P | P | NP | CU | CU | P | P | CU | |
| Bail Bond Services | NP | P | P | P | CU | NP | NP | CU | CU | CU | P | CU | |
| Bank | P | P | P | P | CU | P | P | CU | CU | P | P | P | |
| Bank with Drive-Through Facility | CU | P | P | P | CU | P | P | CU | CU | P | P | CU | |
| Bar | P | P | P | P | NP | P | P | NP | NP | P | P | CU | |
| Barber/Beauty Shop, Limited | P | P | P | P | NP | P | P | CU | CU | P | P | P | |
| Bed and Breakfast | P | NP | NP | NP | NP | NP | NP | P | CU | NP | NP | P | Sec. 8.3 |
| Brewpub | P | P | P | P | NP | P | P | CU | CU | P | P | CU | Sec. 8.5 |
| Business Equipment Sales and Service | CU | P | P | P | CU | P | P | CU | CU | P | P | CU | |
| Building Maintenance Services | CU | P | P | P | P | P | P | CU | CU | P | P | CU | |
| Building Materials and Supplies | NP | P | P | P | P | P | NP | CU | CU | P | P | CU | |
| Campground ³¹ | CU | P | NP | NP | NP | P | NP | P | CU | P | P | CU | Sec. 8.17 |
| Car Wash | NP | P | P | P | CU | P | P | CU | CU | P | P | CU | |
| Commercial Blood Plasma Center | NP | P | P | P | NP | CU | CU | CU | CU | CU | P | CU | |
| Commercial Uses | NP | NP | NP | NP | NP | NP | NP | NP | ** | P | P | CU | Sec. 8.9 |
| Contractor with No Outdoor Storage | P | P | P | P | P | P | P | CU | CU | P | P | CU | |
| Contractor with Outdoor Storage | NP | P | P | P | P | P | NP | CU | CU | P | P | CU | |
| Convenience Store, Limited | P | P | P | P | CU | P | P | CU | CU | P | P | CU | |
| Convenience Store | CU | P | P | P | CU | P | NP | CU | CU | CU | P | CU | Sec. 5.8C (RLIC only) |
| Country Inn | P | P | P | P | NP | P | P | CU | CU | P | P | P | |
| Crematorium, Pet ³⁷ | NP | P | NP | P | NP | NP | NP | P | NP | P | P | CU | Sec. 8.19 |
| Custom Manufacturing | P | P | P | P | P | P | P | CU | CU | P | P | CU | |
| Dry cleaning and Laundry Services | P | P | P | P | CU | P | P | CU | CU | P | P | CU | |
| Dry cleaning and Laundry Facility | NP | P | P | P | P | P | P | CU | CU | P | P | CU | |
| Equipment Rental, Sales, or Service | NP | P | P | P | P | P | NP | CU | CU | P | P | CU | |
| Exterminating Services | NP | P | P | P | P | P | P | CU | CU | P | P | CU | |
| Florist | P | P | P | P | CU | P | P | CU | CU | P | P | P | |
| Food Preparation | P | P | P | P | CU | P | P | CU | CU | P | P | CU | |
| Hotel/Motel | NP | P | P | P | NP | P | P | CU | CU | P | P | CU | |
| Gambling Facilities | NP | NP | NP | NP | CU | NP | NP | NP | NP | NP | CU | CU | Sec. 4.4G |
| Gas Station, Limited | P | P | P | P | CU | P | P | CU | CU | P | P | CU | |
| Gas Station | NP | P | P | P | CU | P | P | CU | CU | P | P | CU | |
| Gas Station, Large | NP | CU | P | P | CU | CU | CU | CU | CU | P | P | CU | |
| Golf Course | NP | P | P | P | NP | P | P | CU | CU | P | P | CU | |
| Grocery Store | P | P | P | P | CU | P | NP | CU | CU | P | P | CU | |
| Horse Racing Facility | NP | NP | NP | P | NP | NP | NP | CU | CU | P | P | CU | |
| Kennel | NP | P | P | P | CU | P | P | P | CU | P | P | CU | Sec. 8.4 |

| Land Use | NC | GC | HC | LI | MI | PND ¹ | OC | R | RG | RLIC | IC | V | Additional Standards |
|--|----------|----------|----------|----------|-----------|------------------|----------|-----------|-----------|----------|----------|-----------|----------------------|
| Commercial Uses continued | | | | | | | | | | | | | Sec. 8.9 |
| Medical/Dental/Optical Office, Small | P | P | P | P | CU | P | P | CU | CU | P | P | P | |
| Medical/Dental/Optical Office | NP | P | P | P | CU | P | P | CU | CU | P | P | CU | |
| Mobile Home, Boat and Trailer Sales | NP | P | P | P | CU | P | NP | CU | CU | CU | P | CU | |
| Movie Theater | NP | P | P | P | NP | P | NP | CU | CU | P | P | CU | |
| Nightclub | NP | P | P | P | NP | P | NP | CU | CU | P | P | CU | |
| Non Profit Commercial Uses | P | P | P | P | NP | P | P | CU | CU | P | P | CU | |
| Non-Profit Community Centers | P | P | P | P | CU | P | CU | P | CU | P | P | CU | |
| Parking, Commercial Offsite Accessory | NP | P | P | P | P | P | P | CU | CU | P | P | CU | |
| Pawn Shop Services | NP | P | P | P | NP | P | NP | CU | CU | P | P | CU | |
| Personal Services | P | P | P | P | CU | P | P | CU | CU | P | P | CU | |
| Professional Office, Small | P | P | P | P | CU | P | P | CU | CU | P | P | P | |
| Professional Office | P | P | P | P | CU | P | P | CU | CU | P | P | CU | |
| Restaurant, Fast Food, Limited | P | P | P | P | CU | P | P | CU | CU | P | P | CU | |
| Restaurant, Fast Food | CU | P | P | P | CU | P | P | CU | CU | CU | P | CU | |
| Restaurant, Fast Food, Drive-Through | NP | P | P | P | CU | CU | P | CU | CU | CU | P | CU | |
| Restaurant | P | P | P | P | CU | P | P | CU | CU | P | P | CU | |
| Retail Sales Limited | P | P | P | P | NP | P | P | CU | CU | P | P | CU | |
| Retail Sales and Services, General | NP | P | P | P | NP | P | NP | CU | CU | P | P | CU | |
| Retail Store, Large | NP | CU | P | CU | NP | CU | NP | CU | CU | CU | CU | CU | |
| Shipping and Mailing Services | P | P | P | P | CU | P | P | CU | CU | P | P | CU | |
| <u>Special Event Facility</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>CU</u> | <u>P</u> | <u>P</u> | <u>CU</u> | <u>CU</u> | <u>P</u> | <u>P</u> | <u>CU</u> | <u>Sec. 8.14</u> |
| Storage, Commercial | NP | P | P | P | CU | P | NP | CU | CU | P | P | CU | |
| Veterinary Services | P | P | P | P | CU | P | P | P | CU | P | P | CU | |
| Wireless Telecommunications Facilities | P | P | P | P | P | P | P | P | P | P | P | P | Art. 4B |
| Agricultural Uses* | | | | | | | | | | | | | |
| Agricultural Uses, as defined in Article 2 | P | P | P | P | P | P | P | P | P | P | P | P | |
| Agricultural Repair Center | NP | P | P | P | P | P | P | P | CU | P | P | NP | |
| Agricultural Tourism | P | P | P | P | P | P | P | P | P | P | P | P | |
| Crematorium, Livestock ³⁷ | CU | CU | CU | CU | CU | CU | CU | P | CU | CU | CU | CU | Sec. 8.19 |
| Farm Brewery | P | P | P | P | P | P | P | P | P | P | P | P | Sec. 8.5 |
| Farm Winery or Distillery | P | P | P | P | P | P | P | P | P | P | P | P | Sec. 8.5 |
| Farm Market | P | P | P | P | P | P | P | P | P | P | P | P | Sec. 8.6 |
| Farm Vacation Enterprise | P | P | P | P | P | P | P | P | P | P | P | P | |
| Farmer's Market | P | P | P | NP | NP | P | NP | P | CU | P | NP | CU | Sec. 8.6 |
| Feed and/or Farm Supply Center | CU | P | P | P | P | P | P | P | CU | P | P | NP | |
| Horticultural Nurseries and Commercial Greenhouses | P | P | P | P | P | P | P | P | CU | P | P | NP | |
| Landscaping Business | P | P | P | P | P | P | P | P | CU | P | P | NP | |
| Rental of Existing Farm Building for Commercial Storage Structure must have existed for 5 years | NP | P | P | P | P | P | P | P | CU | P | P | NP | |
| <u>Special Event Facility, Agricultural</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>Sec. 8.14</u> |
| Accessory Uses | | | | | | | | | | | | | |
| Accessory Uses | P | P | P | P | P | P | P | P | P | P | P | P | |

NC Neighborhood Commercial

GC General Commercial

HC Highway Commercial

LI Light Industrial

MI Major Industrial

PND Planned Neighborhood Development

P Permitted Uses

NP Not Permitted Uses

CU Conditional Uses (subject to requirements of district and/or other requirements of this Ordinance)

** Accessory Use to a planned residential community, if permitted pursuant to Section 5.4 and processed as a CU

¹ The Planning Commission may amend the permitted uses for a development in the PND District per Article 5.

² Approval process is per the Salvage Yard Ordinance.

OC Office / Commercial Mixed-Use

R Rural

RG Residential Growth District

RLIC Residential-Light Industrial-Commercial District

IC Industrial-Commercial District

V Village District