

**JEFFERSON COUNTY
DEPARTMENTS OF PLANNING AND ZONING**

**FISCAL YEAR 2010 – 2011
WORK PLAN**

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Prepared by Jennifer M. Brockman, AICP
Director, Planning and Zoning
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Executive Summary

This document provides an overview of the proposed work program for the Departments of Planning and Zoning for Fiscal Year (FY) 2011. The Departments have five primary categories of work, as described in this Work Plan. They are: Customer Service, Planning Commission Support, Board of Zoning Appeals Support, Pre-proposal Conferences and Development Review, and Comprehensive Planning.

This work program outlines the priorities for both the department staff and the Planning Commission. While it attempts to be a realistic list of projects and tasks, a large development or other unexpected project may affect the departments' ability to complete all projected work program tasks. Additionally, while it is intended to be comprehensive, this work program may not reflect all upcoming tasks. It is meant to highlight the tasks of highest importance and those most likely to be completed.

Mission Statement

The mission of the Departments of Planning and Zoning is to provide a healthy, pleasant environment for those who live, work and visit Jefferson County, by blending the unique natural and built resources of our community with quality, sustainable development that ensures responsible and sound growth. We are a knowledgeable, respectful, dedicated staff who welcome community based problem solving and public/private cooperation that assists the community in implementing standards which create a positive impact and achieves its ultimate vision.

Department Background/Organizational Chart

The Jefferson County Planning Commission was first created in 1967 in response to the acquisition of land in Jefferson County by the federal government and the development of Dulles Airport in nearby Northern Virginia. The creation of a local Planning Commission in 1967 required staff support which resulted in the development of the Department of Planning. The Department of Planning grew to include the zoning, engineering, and building functions. In 2007, the Departments were split into the Departments of Planning and Zoning, which operate under a single Director, and the Department of Engineering, which includes the Building Division, Code Enforcement, and Property Maintenance, under the Chief County Engineer.

The first Comprehensive Plan and Subdivision Regulations were adopted in 1972. In 1976, the first efforts to adopt a Countywide Zoning Ordinance failed in a public vote. Upon completion of the 1986 Comprehensive Plan, a second effort to adopt a local zoning ordinance was more successful. In 1988, Jefferson County adopted a county-wide alternative land evaluation system as the Zoning Ordinance. The Comprehensive Plan was updated and amended in both 1994 and 2004. Upon completion of the 2004 Comprehensive Plan, the County undertook a complete rewrite of the 1988 non-traditional zoning ordinance and the 1972 subdivision regulations. After a number of years of public outreach, the County Commission approved both documents in October 2008. The newly adopted zoning ordinance was stayed by a citizens' petition and in November 2009 it failed in a referendum vote. At this time, the 2008 Subdivision Regulations and 1988 Zoning Ordinance are in effect to guide development in Jefferson County.

The Department of Planning is responsible for reviewing and processing site plans and subdivision plat applications to determine conformance with locally adopted ordinances, regulations, standards, and the 2004 Comprehensive Plan; advising the public on zoning and subdivision related questions and processes; and assisting developers and citizens with the processes and criteria for review for proposed submittals. The Department of Planning provides staff support for the Jefferson County Planning Commission, which reviews and approves Major Subdivision and Site Plan Applications and Zoning Map amendments. The Department also prepares reports, studies, and comprehensive planning documents to assist the Planning Commission and County Commission in the development of policies, regulations, and long range planning documents that guide future land use in the County.

The Department of Zoning is responsible for interpreting, administering and enforcing the Zoning Ordinance. The Department is currently working to resolve conflicts between 2008 Subdivision Regulations and the 1988 Zoning Ordinance, as amended. The Department of Zoning also provides staff support to the Board of Zoning Appeals, which hears and decides Conditional Use Permits, Dimensional Variances, and Appeals of the Zoning Administrator's decisions. The Zoning staff also works with the Code Enforcement office in the Department of Engineering to ensure that the requirements of the zoning ordinance are followed.

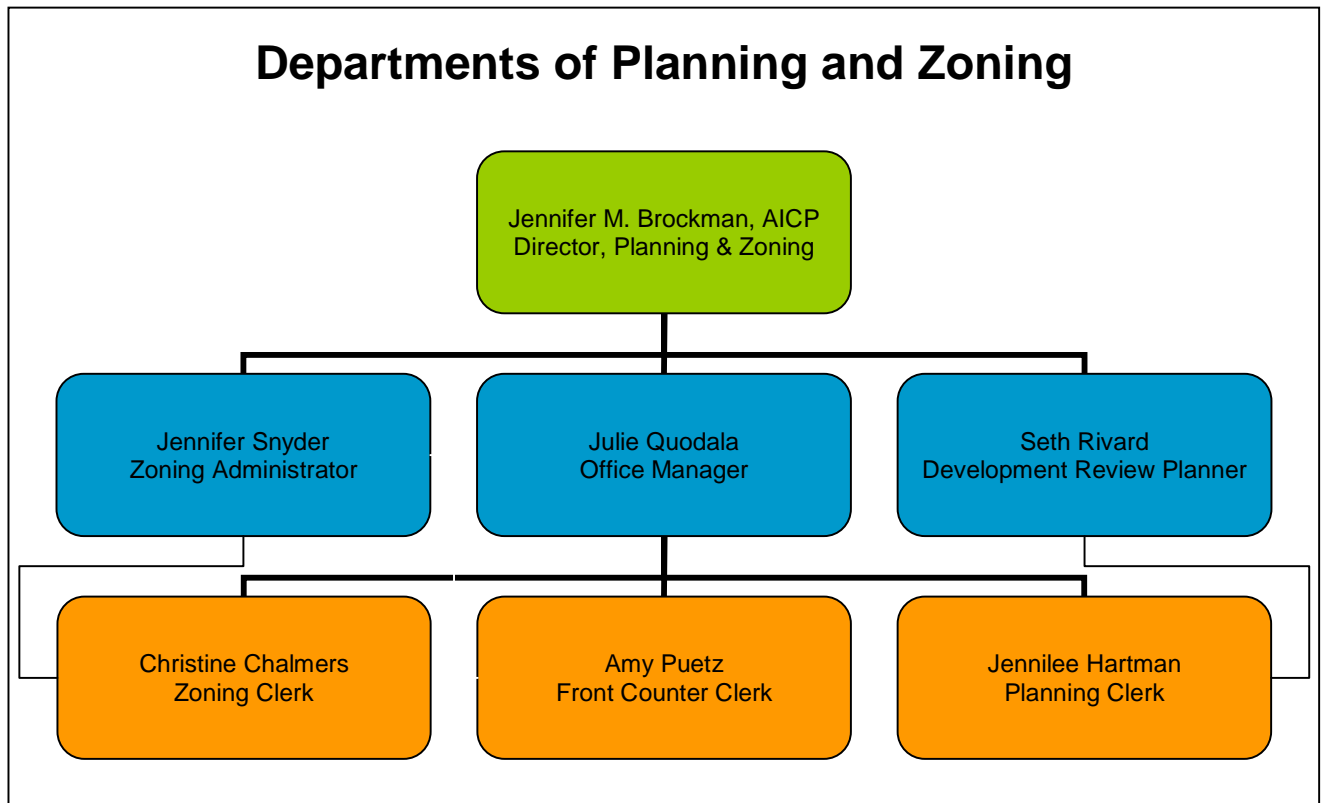
Both departments provide extensive customer service through answering questions from the general public and development community at the front counter, by phone, and by e-mail.

Generally the wide array of daily and long range tasks required of both the Departments of Planning and Zoning can be categorized as follows:

- Customer Service
- Planning Commission Support
- Board of Zoning Appeals Support
- Pre-proposal Conferences and Development Review
- Comprehensive Planning

The staffs of the Departments of Planning and Zoning are as follows. Organization chart is found below.

Department Member	Title	Hire Date
Jennifer M. Brockman	Director, Planning & Zoning	May 2009
Jennifer J. Snyder	Zoning Administrator	2007-Promoted September 2009
Seth Rivard	Development Review Planner	September 2009
Julie Quodala	Office Manager	January 2010
Jennilee Hartman	Planning Clerk	October 2003
Christine Chalmers	Zoning Clerk	October 2006
Amy Puetz	Front Counter Clerk	September 2009



Major Services/Products

The planning and zoning function of a local government is enabled through the West Virginia Code Chapter 8A. This Chapter sets forth the requirement for the establishment of a Planning Commission, a Planning Department, and the adoption of a Comprehensive Plan prior to the adoption of local land use controls such as zoning ordinances and subdivision regulations. The Code also provides for the contents and implementation of these regulations and the periodic update of the Comprehensive Plan. The locally adopted regulations and plans are in conformance with Chapter 8A.

Under the authority of this Code and the locally adopted plan and regulations, the Departments of Planning and Zoning primarily provide service to the general public and development community by providing information, interpretation of regulations, review of submittals and assistance processing applications. These services would fall under the general task categories of "Customer Service" and "Pre-proposal Conferences and Development Review". The Departments are also the primary staff support to the Board of Zoning Appeals and Planning Commission. Projects developed under the "Comprehensive Planning" generally result in the development of a new or amended ordinance or the development of a comprehensive planning document.

The following summarizes the efforts in these categories during Calendar Year 2009:

Customer Service

Walk-In Customers and Phone calls/voice mail: There are numerous daily requests for information from walk-in customers, phone calls and messages received by the Departments. Generally, the information requests received required multiple staff members to respond. In 2010, a tracking mechanism is being developed so that the magnitude of this daily customer contact can be monitored. The Departments have a standing policy that phone messages and voice mail be responded to within 72 hours.

E-mail: E-mail correspondence is received by individual staff members and in the general Planning and Zoning Department mailboxes which are posted on the web-site and on our business cards. The general e-mailboxes are monitored by the administrative staff and the messages are forwarded to the appropriate staff person. Messages in these boxes totaled 1,049 e-mails in 2009. E-mails which include a specific request for information are turned into Information Request Forms (see below) for tracking purposes. There is a Department policy that all e-mail is responded to within 7-10 business days depending on the complexity of the request.

Responses to Information Request Forms (IRFs): The Departments have an internal policy that if a walk-in or e-mail request will take more than 15 minutes of a professional staff person's time, an Information Request Form is completed and a response is prepared or maintained in writing. Often these requests require some background research and a follow up meeting, which is generally scheduled within 72 hours of the request. The number of IRFs in 2009 totaled 122, 87 of which required background research and an e-mail response from the Zoning Administrator.

Planning Commission Support

The Planning Commission (PC) is a nine member appointed volunteer board created under the provision of the WV Code Chapter 8A with specific duties and responsibilities. The Departments of Planning and Zoning support the Planning Commission meetings with professional and administrative support staff. Generally, four Department staff members are present; the Director, the Zoning Administrator, the County Planner and an administrative staff member. Additionally, the Legal and Engineering departments send representatives as necessary. The Planning

Commission held 18 regularly scheduled meetings in 2009, plus two special meetings and two workshops (including a joint meeting with the County Commission), for a total of 22 meetings. Planning Commission meetings consist of regular business which includes interaction with the public and review and decisions regarding specific development requests. Certain development requests require a formal public hearing as a part of the Planning Commission meeting. A total of 36 Public Hearings were held within the 22 times that the PC met (Final Plat – 12; Community Impact Statements – 3; Variances – 19; Site Plans – 1; Minor Plats – 1).

An additional eight (8) meetings were held for the purposes of discussing the Zoning Referendum or Amendments to Zoning Ordinance or Subdivision Regulations, including public outreach meetings and open houses.

Board of Zoning Appeals Support

The Board of Zoning Appeals (BZA) is a five member appointed volunteer board, with one alternate, created under the provision of the WV Code Chapter 8A with specific duties and responsibilities. The Departments of Planning and Zoning also support the Board of Zoning Appeals (BZA) meetings with professional and administrative support staff. Generally three Department staff members attend these meetings; the Director, the Zoning Administrator and an administrative staff member. Additionally, Legal sends a staff representative as necessary. The BZA held 11 regularly scheduled meetings in 2009. BZA meetings consist of regular business primarily focused on conditional use permits and variances, as defined in the locally adopted Zoning Ordinance and the West Virginia State Code Chapter 8A, as well as appeals of the Zoning Administrator's decision. Changes in the locally adopted Zoning Ordinance due to the conclusion of a law suit have resulted in a changing role of the BZA throughout the year and careful monitoring on the part of staff to ensure the agenda items were being heard by the correct body. The BZA held 24 public hearings during their 11 meetings (Variance Requests – 19; Conditional Use Permit Activity – 3; Seasonal Use Permits – 1; Appeals of Zoning Administrator's decisions - 1).

Pre-Proposal Conferences and Development Review

A significant part of the Departments' staff's time is spent on development related items. Even in this time of economic slowdown, the Departments receive numerous requests for information on processing minor site plans and subdivisions. The complexity of the inconsistency between the 2008 Subdivision Regulations and the 1988 Zoning Ordinance has led to the need for more intensive staff interaction with applicants, to ensure they are applying for the correct type of application and utilizing the correct process.

There are generally two types of activities related to development. The first is referred to as a Pre-Proposal Conference (PPC) and either provides an applicant the opportunity to meet with staff prior to any significant investment in engineering services or occurs when a property is in violation of the Ordinance and the property owner wants to become compliant. Staff participated in 76 such PPCs in 2009.

The second activity is the actual review of an application and its related plans and/or plats. The transition to the Subdivision Regulations adopted in October 2008 has resulted in a change in the review and processing of the various development items. If an item was submitted under the previous Subdivision Regulations, it continues to be processed under those rules as long as it is an active application. As a result staff has reviewed a number of major final subdivision plats under the old regulations due to the date of submittal. Generally, the minor plats reviewed this year have all been reviewed under the 2008 Subdivision Regulations because they have a much shorter review time. Throughout 2009, the following project reviews occurred:

• Minor Plats	42
• Merger Deeds	30
• Major Final Plats	8 (require public hearings)
• Minor Site Plans	5
• Major Site Plans	0
• Zoning Certificates	11

Comprehensive Planning

WV Code Chapter 8A outlines the requirements for the contents and updates of the locally adopted land use ordinances and the comprehensive planning documents. The comprehensive planning function helps a community establish a vision for the future and provides a guide for the review of all proposed development. The County is taking advantage of the lull in the economy to concentrate on some limited long range planning efforts. An update of the 2004 Comprehensive Plan is slated to be adopted in 2014. Prior to that planning effort, the County intends to develop a few small area plans that will be adopted as amendments to the 2004 Comprehensive Plan.

The first of these small area plans is the Blue Ridge Mountain Communities Area Watershed Plan. In September 2009, the County was awarded a National Fish and Wildlife Foundation grant for the purpose of developing a citizen's based issues analysis and vision for the Mountain area. Decisions made in the development of this Communities Area Watershed Plan are intended to provide recommendations which benefit the Chesapeake Bay watershed concerns. The grant enables the hiring of a facilitator to assist staff with an outreach effort that is intended to develop a consensus among the stakeholders regarding critical issues impacting the mountain; an analysis of relevant available data; a recommendation regarding best management practices on steep slopes within the Chesapeake Bay watershed and a recommendation regarding the next steps in this planning process.

In addition to a number of meetings related to the Blue Ridge Mountain steep slope project, the Planning staff attended numerous meetings of a regional nature that lend themselves to an awareness and participation in projects that may impact future long range planning efforts. In 2009 staff and/or Planning Commission members attended over 40 such meetings regarding topics such as Chesapeake Bay compliance, a newly formed Joint Utility Working Group, the School Board Comprehensive Educational Facilities Plan Working Group, the Water Advisory Committee; the Economic Development Authority Board Meetings; the Board of Health; the Public Service District Board meetings, and a Planner's lunch group that includes the planners from Ranson and Charles Town.

Major Customers

The major customers of the Departments of Planning and Zoning include members of the general public and the development community; members of the Planning Commission, Board of Zoning Appeals, and County Commission. Generally, the role of planning and zoning in a community is to promote the general health, safety, public welfare, comfort and morals of the community through the promotion of orderly and safe development, protection of historic and natural features, reduction in congestion. Toward this end, all residents and businesses within the County are customers of the Departments and should be active participants in the development of future plans and implementation tools. The elected and appointed officials that draft and adopt these plans and ordinances are also the Departments' customers and play a critical role in setting priorities for each year's work plans and programs.

Activities in Fiscal Year 2011 with flat 2010 budget

Consideration of the annual budget of any County department is the foremost opportunity for the County Commission to review the performance of the Departments and to make policy decisions about the priorities and performance measures the County wishes to adopt for the Departments in the forthcoming year. It is this policy direction that provides context for subsequent consideration of department staffing and expenditure decisions.

The on-going needs for the four current planning related tasks of the Planning and Zoning Departments' staff (Customer Service, PC support, BZA support and PPC and Development Review) will continue to consume a large portion of all of the staff time and efforts. While opportunities for long range planning initiatives are limited by the demand for current planning efforts, there are a number of efforts listed below that the Planning Commission and the Planning and Zoning Departments would like to request that the County Commission support and fund in a reasonable time frame. The budget for the Departments will affect how many of these initiatives can be undertaken in FY 2011. While a flat budget should mean the same bottom line for each Department, the impact of changes in retirement contributions and health insurance costs will reduce the amount available for on-going as well as special projects and will impact the initiatives that can be undertaken. Any proposed cut in the Departments' budgets will significantly impact the comprehensive planning tasks that the Commission is interested in pursuing.

In addition to the on-going planning tasks and potential comprehensive planning tasks, there are additional administrative initiatives that are critical to the ability of the Departments to work effectively and efficiently. These include staff development, the need for adequate legal, technical and geographic information systems (GIS) support and are more fully described below. These items do not necessarily impact the budget needs of this department directly but will require budget support of other departments that support the entire County.

Comprehensive Planning

The comprehensive planning initiatives proposed for FY 2011 with a flat budget include the following:

- Blue Ridge Mountain Communities Area Plan grant study – public outreach effort May 2010 – August 2010, draft recommendations to PC and CC Fall 2010; final report due to grantor March 2011
- Development Review Fees update – current fees have been in place for over 10 years and do not relate to actual staff time required to process the applications; staff is evaluating the fees to estimate what would be necessary to recover these costs
- Urban Growth Boundary – in July 2009 a new state law allowed the adoption of urban growth boundaries (UGB) around municipalities in counties that had adopted county-wide zoning; efforts to have the proposed UGBs endorsed by the municipalities are underway; revisions to the County Zoning Ordinance and Zoning Map will be required to implement this provision of state law
- Zoning Map Update – the current zoning map exists on a very old base map and is inaccurate in a number of places; an effort is underway to update the base map, correct the errors, and to include the UGBs discussed above; a proposed policy on the regular updating of the zoning map should be drafted
- Subdivision Regulation Amendments – amendments to the 2008 Subdivision Regulations to enable them to work with the 1988 Zoning Ordinance and to fine-tune processes that have

been in place through 2009 are currently underway; it is possible that in this process some new concepts for the Subdivision Regulations will be discovered and these potential revisions should be handled as a separate amendment process and should occur in conjunction with proposed revisions to the Zoning Ordinance

- Zoning Ordinance Update/Revisions – once the subdivision regulation amendments are adopted, the existing Zoning Ordinance needs a thorough review to ensure that all conflicts and inconsistencies are corrected and to determine if County policies are correctly represented in the provisions of the Ordinance
- 340 Gateway/Commercial Corridor Enhancement Study – kick off late Spring 2011; 12-15 month process; needs collaborative process to build consensus on a vision that maximizes economic growth while protecting viewsheds and sensitive resources
- Chesapeake Bay compliance requirements – federal requirements and penalties are expected to be released soon; county-wide coordination regarding the variety of compliance techniques being implemented is required; may include the need for the creation of a county-wide stormwater utility and related regulations
- Ongoing Coordination with Other Departments:
 - PSD/Health Dept/Municipal Utilities -- assist in planning efforts and developing a digital data base of existing data for use in long range planning
 - Economic Development Authority – coordinate on efforts to attract jobs and develop streamlined approval processes that support the County's economic development efforts
 - School Board – coordinate on facilities planning efforts

Note that the ability to pursue any of these comprehensive planning projects under the existing budget constraints is tied to the lull in development activities. A major subdivision, site plan, or zoning map amendment project would significantly affect any proposed time lines for comprehensive planning projects because staff would have to be redirected to current planning needs.

Staff Development

- Planning Technician position - The Departments have a very dedicated staff with a commitment and interest in their departments and professions that need to be “grown” from within. As a single Planner is currently managing both the long range and current planning functions and the Zoning Administrator is managing day to day operations and ordinance rewrites, there is a need to develop internally a Planning Technician that can support these professional staff positions in a way that an administrative staff person cannot. The budget needs to include training opportunities to allow staff to develop in a way that would allow the creation of a planning technician position, without adding additional staff. A job description and training requirements will be developed to lay the ground work for the creation of a future Planning Technician position that could support both the Planning and Zoning Administrator.
- Staff Training – Training opportunities for all staff need to be included in the budget which allows broadening of staff's knowledge base, meets on-going training requirements of the planning profession, and provides opportunities to network with others experiencing the same issues. Training of support staff can also allow for the development of ways to streamline processes and work more effectively and efficiently. The training and growth opportunities need to continue to be a part of the Departments' budgets.

Technical Support

- Geographic Information Services/Addressing (GIS) – Planning and Zoning offices need high quality mapping and related data in order to be an efficient and effectively run office. The County's addressing/GIS office is highly supportive of the Departments mapping needs but needs County Commission budget support to broaden their ability to support other County offices. To that end, the County Commission needs to support the creation of web-based GIS technology so that mapping products that are being created can be utilized in the analysis of various proposals and in developing planning documents. This support of the GIS staff will provide a broad based support to multiple County offices including the Departments of Planning and Zoning.
- Information Technology (IT) The Departments of Planning and Zoning needs to run in an effective and efficient manner. The expansion of the IT staff to allow the exploration and implementation of a variety of technological solutions would benefit all County offices. The County needs a county-wide intranet system that will allow efficient communication between county departments. The County Commission needs to expand the capacity of the IT staff to allow for a logical and timely analysis of the capacity and age of computers, copiers, and other equipment so that they can be replaced on a coordinated depreciation schedule. This added IT support would also allow the Departments to have confidence in the ability of their equipment to meet their daily and growing needs. Issues with computers and copiers impact the ability of the Planning and Zoning Departments to manage their daily work load.

Activities in Fiscal Year 2011 with budget increases

As noted, the bulk of the Departments of Planning and Zoning staff time is spent meeting the day-to-day customer and development needs of the County. A budget increase would allow the Departments to take a more aggressive role in the development of comprehensive planning projects and potentially related ordinances. The level of the budget increase would impact what projects could be undertaken. Funding to the level of another staff position could allow significant support of a Chesapeake Bay Coordinator position, which could be shared with other Departments and jurisdictions, or could allow a concentrated comprehensive planning effort which would allow the acceleration of the 340 Gateway/Commercial Corridor Enhancement Study. Smaller funding increase could be used as a match as the Departments and Planning Commission continued to pursue grant opportunities to allow specific comprehensive planning projects to be pursued. Grants related to the Chesapeake Bay Initiative seem likely but require at least a 20% match from local funding.

The top priority Comprehensive Planning projects that the Departments could potentially undertake with additional funding are as follows:

- 340 Gateway/Commercial Corridor Enhancement Study – with additional staff, the kick off could be moved up; the study will continue to be 12-15 month process in order to effectively manage the public input process; collaborative process to build consensus on a vision that maximizes economic growth while protecting viewsheds and sensitive resources
- Chesapeake Bay compliance requirements –The County needs to understand the significance of the changing rules related to the federal Chesapeake Bay Initiative. Lax watershed and stormwater management that may have been tolerable in the past, is not going to be acceptable under new federal rules that will be forthcoming soon. Significant penalties for noncompliance are expected. There is a need for a lead person for the County on the Chesapeake Bay Initiative, allowing a single point of contact to attend the wide variety of meetings that are occurring and to advise the County Commission on action items that need to be undertaken. Neither the Planning nor Engineering Departments are staffed to undertake this role at this time. The Planning staff has been pursuing funding sources and has informally approached the County's municipalities to jointly fund such a position to ensure that the County is not exposed to the severe penalties that may be forthcoming related to the Chesapeake Bay standards. Federal requirements and penalties are expected to be released soon; county-wide coordination regarding the variety of compliance techniques being implemented is required; potential changes in state law may be required; the possibility of the creation of a county-wide stormwater utility and related regulations may need to be pursued.
- County-wide Water and Sewer Study – The Joint County Utility Working group is serving a significant role of opening the dialogue between various utility providers and ensuring that all players are aware of changes in state priorities. Recent denials of funding for infrastructure improvements further support the need for a coordinated utility/infrastructure planning effort in the County. This cooperative effort could be headed up by the PC staff because decisions related to utility service areas have critical public health impacts and the land use implications; land use and zoning needs to guide where development occurs and where services are provided.
- Health Department Digital Data Base of septic systems – Planning and GIS staff have met with the Health Department to pursue a process for making historic and current septic system data available in a digital format. While this would be primarily a Health Department

effort, there is a benefit to the Planning Department and the Department would like to support a cooperative effort to ensure implementation of this effort.

- Plat, Plan and Planning File scanning – There is a need to make historic and active planning and zoning projects more readily accessible in a digital format and linked to a database. The most effective way of pursuing this would be the hiring an intern or a temporary staff person who could concentrate on this project alone and result in a completed project in a set time period. This is a goal of the Departments that is not currently funded.
- Trail Planning Efforts – The need for a County-wide trail plan has come up repeatedly in recent months and the Planning Department should have a role in the development of this plan in conjunction with the Parks and Recreation Department.
- Cooperative County Planning Efforts – The planners in the County meet regularly and discuss potential planning issues that could have county-wide significance. There is some interest in exploring whether new concepts such as those found in the Smart Code template could be valuable to Jefferson County and its municipalities.
- 2014 Comprehensive Plan Update (mandated by state law) – There are a number of phases in the development of a Comprehensive Plan and generally it is a 24 +/- month process; kick off should occur in the late Fall 2011 pending Census release and other planning efforts such as the proposed county-wide utility plan would lay the groundwork for this effort.

Another issue that impacts the Departments' ability to work effectively is the lack of direct legal counsel to the Planning and Zoning staffs. The Office of the Prosecuting Attorney provides legal counsel to the Board of Zoning Appeals and the Planning Commission but generally feels that that this staff person should not be providing legal direction to the staff in interpreting the locally adopted ordinances. The lack of legal support creates a situation that is often inefficient as staff tries to guess whether legal could support their interpretation of the ordinances. Legal support that could be contacted directly by the staffs would make the Departments more effective and efficient.

New Services Costs

Generally costs for current and comprehensive planning projects relate to staff time and overhead in the form of equipment and materials. The Planning Commission and Departments of Planning and Zoning are pursuing grant funding options to support the need for Chesapeake Bay planning efforts. Cooperative staffing with municipalities is also being pursued.

While the funding of an entire new staff position is not expected, funding that could support matching funds for grants or the hiring of key specialists for specific aspects of a project, such as a facilitator or someone to scan in documents, would enable some of these projects to be undertaken. Funding in the line items of professional or contract services would enable a number of the smaller projects to be undertaken.