

Jefferson County Planning Commission
May 17, 2016

The Jefferson County Planning Commission met on May 17, 2016 with the following Commission members present: Mike Chapman, President; Wade Louthan, Vice President; Donnie Fisher, Secretary; Steve Stolipher, Gary Phalen, Eric Bell, Dickie Childs, and J Ware. Staff members present included Jennie Brockman, Director of Planning and Zoning; Lydia Lehman, Assistant Prosecuting Attorney; Alex Beaulieu, Project/Office Manager

Mr. Gene Taylor was absent with prior notification.

Mr. Mike Chapman called the meeting to order at 7:00 PM.

1. Citizen Communications. None.

Mr. Mike Chapman stated that each speaker is allotted 5 minutes due to the vast nature of the subject. Several written comments had been received by the Planning Commission prior to the start of this meeting. The record will remain open for two (2) weeks from this date to allow the submission of further written comments on this item. Comments are to be received no later than close of business on May 31, 2016. Mr. Chapman stated that this meeting is not an interactive session. The Planning Commissions role is to accept Public Comment only on Agenda Item 2.

Mr. Mike Chapman opened the floor to Public Comment. No Public comment was had. Mr. Chapman closed the floor to Public Comment.

2. **Public Hearing:** Proposed text amendment to multiple sections of the Jefferson County Zoning and Land Development Ordinance (ZTA 16-01). This text amendment, in accordance with WV Code §8A-7-13, proposes to replace the current nontraditional zoning ordinance with a traditional zoning ordinance by eliminating the Development Review System (DRS) based on the Land Evaluation and Site Assessment (LESA) Conditional Use Permit (CUP) Process (Articles 6 and 7) and replacing it with a traditional Principal Permitted and Conditional Use process. The proposed Zoning Ordinance text amendment further propose changes to the Rural Zoning Cluster Development Provisions in Section 5.7 and proposes related rural land use amendments throughout the Ordinance. The amendment is the proposed implementation of a key concept throughout the Envision Jefferson 2035 Comprehensive Plan, adopted in February, 2015, which states “This Plan proposes a higher density cluster provision rather than allowing rural residential developments via the Land Evaluation Site Assessment (LESA) system/Conditional Use Permit (CUP) process; and to allow the use of the a more traditional CUP process in the Rural District for non-residential uses which are compatible in scale and intensity with the rural environment and that pose no threat to public health, safety, and welfare.”

Ms. Jennifer Brockman gave a brief summary of the proposed text amendment. Ms. Brockman stated that this is the Public’s opportunity to comment on this amendment.

Mr. Chapman opened the floor to Public Comment.

Mr. Joseph Hankins, Chair, Conservation Committee for the Potomac Valley Audubon Society (PVAS) spoke, requesting that a new rural principal permitted use and definition be added to the ordinance for environmental education facilities. Mr. Hankins comments were submitted to the Planning Commission in writing and attached to this record.

Ms. Sarah Lambert, Architect in Shepherdstown and a member of the Jefferson County Historic Landmarks Commission spoke regarding the proposed 75’ height in the Rural District and regarding the proposed large gas stations in the Rural district. She also requested that the Commission consider allowing detached accessory dwelling units to allow an alternative to nursing homes for elderly family members. The Jefferson County Historic Landmark Commission also submitted written comments that were entered into this record.

Mr. Martin Burke, Chair for the Jefferson County Landmarks Commission, spoke regarding additional definitions the JCHLC is proposing be added to the Ordinance; proposed language explaining the powers and duties of the JCHLC; requesting that an incentive be provided in the Rural cluster provisions for additional units in exchange for greater acreage in preservation; and requesting a section related to adaptive reuse of structures. Written comments detailing all of the JCHLC's comments were submitted as one letter to the Planning Commission.

Mr. Mark Dyck, Gordon & Associates spoke regarding the proposed term "greenspace"; requesting more empirical standards for consideration of traditional conditional uses; requesting a change in the non-residential setback requirements; and questioning certain uses in Appendix C, "Principal Permitted and Conditional Uses Table". Written comments were submitted via an email by Mr. Dyck and made part of this record.

Ms. Jennifer Brockman read aloud the names from whom written comments were received by others not present at this meeting but were made part of this record.

Mr. Mike Chapman closed the meeting to Public Comment stating that written comments will still be accepted as stated above at the beginning of the meeting.

Mr. Stephen Stolipher made a motion to put all the written comments that will be received in the next weeks into the packet for the next regular scheduled Planning Commission meeting to be held on June 14, 2016.

Mr. Wade Louthan seconded the motion.

Ms. Jennifer Brockman stated the comments received will be put into a matrix form to be presented at the next meeting.

A vote was taken on the motion which carried unanimously.

Ms. Jennifer Brockman gave an update on the status of the Draft Campground Regulations. A brief discussion ensued.

Mr. Mike Chapman motioned to adjourn the meeting at 7:36 PM.