



AGENDA
Jefferson County Planning Commission
Tuesday, October 10, 2017, 7:00 PM

Planning Commission meetings are held in the Old Charles Town Library Meeting Room located at 200 East Washington Street, at the side entrance on Samuel Street in the City of Charles Town.

All Citizens that desire to speak must sign-in prior to the Agenda Item being addressed.

1. Approval of Meeting minutes:
 - September 12, 2017.
2. Citizen Communications: If you wish to comment, please sign-in to speak for issues that are not on the agenda or items that are not open for public comment. Items not open for public comment will be so noted.
3. Request for postponement.

There is no public comment for the following items.

4. **Discussion and Recommendation:** Planning Commission review and recommendation to the County Commission regarding whether the petition for a Zoning Map Amendment by property owner Rankin Properties, LLC. (File # Z17-03) for a property located at the NW corner of the intersection of Alternate WV 45/Potomac Farms Road and WV 480/Kearneysville Pike is consistent with the Envision Jefferson 2035 Comprehensive Plan. This property is currently zoned Residential Growth (RG), and the applicant is requesting General Commercial (GC) zoning. The property is designated as Shepherdstown (09) Tax District; Map 8; Parcel 8.1 and contains 3.56 acres. The County Commission has scheduled a Public Hearing on this petition on October 19, 2017 at 1:30 PM in the Old Charles Town Library Meeting room.”
5. **Work Session** on the proposed text amendments to the Jefferson County Subdivision and Land Development Regulations, File# STA16-01, for the purpose of scheduling a Public Hearing. The text amendment, in accordance with WV Code § 8A-4-5 proposes revisions and additions to multiple sections of the Subdivision and Land Development Regulations including Section 20.106, Adjustment of Lot Boundaries; Division 20.200, types of development; Section 20.201, Minor Subdivisions; Section 20.202, Major Subdivisions; Section 20.203, Minor Site Development; and Appendix A, Section 1.4, Final Plat; and Section 1.5, Recordation of Final Plats for Minor and Major Subdivisions.
6. **Review and Discussion** on the summary of the status of the implementation of the recommendations of *Envision Jefferson 2035 Comprehensive Plan* to the Planning Commission to be forwarded to the County Commission as an addendum to the Annual Report (possible speakers representing various Departments). This item is tentative dependent on Jennie getting responses from the various agencies.
7. Reports from Legal Counsel and legal advice to the Planning Commission.
 - a) Active Litigation:
 - Shiloh Citizens Association: Report on legal action in Supreme Court, Docket #15-1031.

8. Planners Memo
9. President's Report.
10. Actionable Correspondence.
11. Non-Actionable Correspondence.

All files are made available for public review Monday through Friday, 9:00 AM to 5:00 PM (excluding Holidays). The Planning Commission welcomes written comments at any time. Submitting a document no later than the Thursday before a scheduled meeting will provide the Commission an advanced opportunity to review your comments prior to the meeting. Please note that documentation and exhibits submitted at a Planning Commission meeting are retained as part of the official record. Feel free to submit your comments to Office of Planning and Zoning.

Any party desiring a transcript of these proceedings will be responsible for providing a competent stenographer at their own expense. Minutes, video and/or audio recordings of past meetings, the Jefferson County Subdivision Regulations, Zoning Ordinance, and Comprehensive Plan, as well as any working proposed amendments are located on the Departments page within the County's website at www.jeffersoncountywv.org. Minutes and audio recordings of older meetings that are not on the County's website are available for review in the office.

Jefferson County Planning Commission
September 12, 2017

The Jefferson County Planning Commission met on September 12, 2017 with the following Commission members present: Steve Stolipher, Jack Hefestay, Wade Louthan, Secretary; Gene Taylor, Donnie Fisher, President; Peter Onoszko, and Ray Bruning. Staff members present included Nathan Cochran, Assistant Prosecuting Attorney; Alexandra Beaulieu, Zoning Administrator; and Rhonda Greenholtz, Planning Clerk

Mr. J Ware and Mr. Ron Thomas were absent without prior notification (Mr. Thomas called the Planning Office on September 13, 2017 and apologized for missing the meeting).

Ms. Jennifer Brockman was absent due to a family matter. Mr. Donnie Fisher called the meeting to order at 7:00 PM.

1. Approval of the minutes from the following Planning Commission Meeting
August 8, 2017. The minutes were approved with no objections.
2. Citizen Communications.
No Citizen communication was made.
3. Request for postponement. Item number 4 (below) on the agenda was postponed due to Ms. Brockman not being present and will be heard at a later date.
4. **Review and Discussion** on the summary of the status of the implementation of the recommendations of *Envision Jefferson 2035 Comprehensive Plan* to the Planning Commission to be forwarded to the County Commission as an addendum to the Annual Report (possible speakers representing various Departments).
5. **Review and Discussion** on the proposed text amendment to the Jefferson County Zoning and Land Development Ordinance, File #ZTA 16-02. The text amendment, in accordance with WV Code §8A-7-13 proposes revisions and additions to multiple sections of the Zoning Ordinance including Section 2.2, Terms Defined; Section 3.4 Boards and Commissions; Section 4.6, Distance requirements; Section 4.14 Historic Preservation; Section 5.10, Village (V) District; Section 8.19, Adaptive Reuse of Historic Structures; Section 10.4, Signs Requiring a Zoning Permit and Appendix C: Principal Permitted and Conditional Uses Table.

Ms. Alex Beaulieu noted the submission of two written comments in opposition to the proposed text amendment, one from Mr. Matt Knott and the other from Dr. James Gibson. Ms. Beaulieu provided copies of Section 3, pages 116-119 of the Comprehensive Plan which pertain to the proposed text amendment as referenced in the two written comments.

The Planning Commission reviewed the revisions from August 8, 2017 and made additional changes. Mr. Stolipher requested that Staff work with Legal to revise the draft amendment

and incorporate the recommendations made by the Planning Commission for review in October.

6. **Review and Discussion** by the Planning Commission on the proposed text amendments to the Jefferson County Subdivision and Land Development Regulations, File# STA16-01, for the purpose of scheduling a Public Hearing. The text amendment, in accordance with WV Code § 8A-4-5 proposes revisions and additions to multiple sections of the Subdivision and Land Development Regulations including Section 20.106, Adjustment of Lot Boundaries; Division 20.200, types of development; Section 20.201, Minor Subdivisions; Section 20.202, Major Subdivisions; Section 20.203, Minor Site Development; and Appendix A, Section 1.4, Final Plat; and Section 1.5, Recordation of Final Plats for Minor and Major Subdivisions.

Mr. Jonathan Saunders, County Engineer gave a brief synopsis of the proposed revisions to the Subdivision Regulations.

Mr. Steve Stolipher made a motion to schedule a work session on October 10, 2017 at 7:00 PM. There will be no public comment taken at this meeting. The Public Hearing will be scheduled at the October meeting. Mr. Donnie Fisher seconded the motion which passed unanimously.

7. Reports from Legal Counsel and legal advice to the Planning Commission.

a) Active Litigation:

- Shiloh Citizens Association: Report on legal action in Supreme Court, Docket #15-1031 Possible Executive Session.

Mr. Nathan Cochran informed the Planning Commission that this item is being resolved and he will provide updates as they become available.

8. Planners Memo.

- Training for the Planning Commission on Signage Laws is tentatively scheduled for September 26, 2017.
- Upcoming PC meeting:

Next Regular Meeting: October 10, 2017

9. President's Report. None

10. Actionable Correspondence. None

11. Non-Actionable Correspondence.

- The Corporation of Shepherdstown submitted a letter dated August 15, 2017 regarding the development of Special Design Area guidelines along the Route 45 corridor west of town.


Mr. Fisher motioned to adjourn the meeting at 8:44 PM with no objections.

STAFF REPORT

Jefferson County Planning Commission Meeting

October 10, 2017

Item # 4 Planning Commission review and recommendation to the County Commission regarding whether the petition for a Zoning Map Amendment request by property owner Rankin Properties, LLC located at the NW corner of Kearneysville Pike and Potomac Farm Drive is consistent with the *Envision Jefferson 2035 Comprehensive Plan*. This 3.56 acre property is currently zoned Residential-Growth (RG), and the applicant is requesting General Commercial (GC) zoning

APPLICANT/OWNER:	Rankin Properties, LLC		
DEVELOPER:	N/A		
APPLICANT REPRESENTATIVE:	P.J. Raco Consulting, LLC Paul J. Raco		
PROPERTY LOCATION:	The property is located at the NW corner of Alternate Route 45/Potomac Farms Road and Kearneysville Pike/Route 480.		
LEGAL DESCRIPTION:	<p style="text-align: center;">Tax District: Shepherdstown (09), Map: 8, Parcel: 8.1 Zoning Map Designation: Residential Growth</p> 		
SURROUNDING PROPERTIES:	North: Residential Growth	South: Rural	East: Residential Growth
	West: Residential Growth		
LOT AREA:	3.56 acres		
DEVELOPMENT HISTORY:	The subject parcel is currently vacant		
PROPOSED REQUEST	To rezone from Residential Growth (RG) to General Commercial (GC).		
PLANNING COMMISSION RESPONSIBILITY:	To advise the County Commission as to whether the requested Zoning Map Amendment is consistent with the <i>Envision Jefferson 2035 Comprehensive Plan</i> .		
STAFF FINDING:	In this report, Staff presents the various factors related to this property based on the Comprehensive Plan. Staff finds that the request is <u>consistent</u> with the <i>Envision Jefferson 2035 Comprehensive Plan</i> .		

STAFF REPORT

Jefferson County Planning Commission Meeting

October 10, 2017

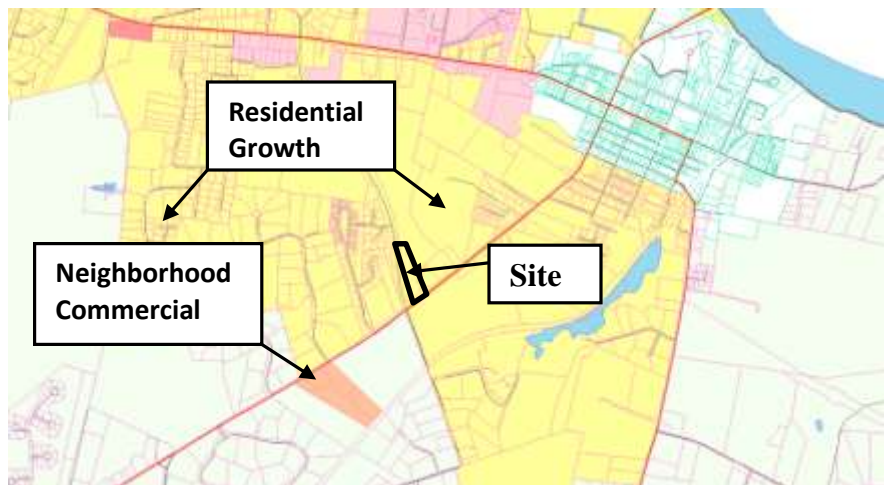
Applicant's Request

The applicant's request is to have the 3.56 acre parcel located at the NW Corner of the intersection of Alternate WV 45/Potomac Farms and WV 480/Kearneysville Pike rezoned from Residential Growth (RG) to General Commercial (GC). The applicant believes that the construction of Alternate 45/Potomac Farms Road, which provides access to this lot, and the residential and commercial development west and southwest of Shepherdstown, would support the development of commercial uses at this intersection.

Background and Context for Subject Property

The applicant's property sits on 3.56 acres of wooded vacant land. This property was previously approved for a 24,640 square foot two-story commercial building to accommodate offices and retail space through a Conditional Use Permit, which has subsequently expired. No development has occurred on the site.

All of the parcels that are immediately adjacent to the subject parcels are zoned Residential Growth and are occupied by residential and/or commercial uses. The property northeast of the parcel subject to this request is a nonconforming use identified as Sustainable Solutions. The Asbury United Methodist Church is approximately 320 feet to the southwest across Alternate WV 45.



STAFF REPORT

Jefferson County Planning Commission Meeting

October 10, 2017

Statutory Authority and Requirements

The West Virginia State Code, Section 8A-7-9, and Article 12 of the Jefferson County Zoning and Land Development Ordinance detail the process by which boundaries of zoning districts may be amended in response to a petition of 50% or more of the property owners. On September 21, 2017, the applicant presented their zoning map amendment petition to the County Commission. The County Commission scheduled the required Public Hearing for October 19, 2017 and referred the application to the Planning Commission for their recommendation.

Both WV Code and the Zoning Ordinance state that before amending the Zoning Ordinance text or map, “the governing body, with the advice of the Planning Commission, must find that the amendment is consistent with the adopted Comprehensive Plan”, or if it is inconsistent, “then the governing body with the advice of the Planning Commission, must find that there have been major changes of an economic, physical or social nature within the area involved, which were not anticipated when the comprehensive plan was adopted and those changes have substantially altered the basic characteristics of the area[See WVC 8A-7-9(c)].”

The Zoning Ordinance further states that the applicant should include discussion of any change of transportation characteristics and neighborhood from when the original zoning was established for the Planning Commission to take into consideration. This information is included in the application.

Scope of this Assessment

Due to the requirements noted above, this report focuses on whether or not the Zoning Map Amendment application is consistent with the *Envision Jefferson 2035 Comprehensive Plan* and provides a staff recommendation for the Planning Commission’s consideration based on relevant sections and elements of the *Plan*. Staff’s professional recommendation is that the request is consistent with the *Envision Jefferson 2035 Comprehensive Plan* because of its location within the County-designated Preferred Growth Area in the immediate vicinity of Shepherdstown and its designation on the Future Land Use Guide as Future Mixed Use Residential/Commercial Land Use. The Planning Commission is required to provide the County Commission with their advice as to whether they also make this finding prior to the County Commission’s Public Hearing. It should be noted that Staff has no statutory authority to make decisions in this regard. The County Commission, with the recommendation of the Planning Commission, has the only authority to approve or deny a zoning map amendment request.

Relevant Envision Jefferson 2035 Comprehensive Plan Elements and Commentary

The *Envision Jefferson 2035 Comprehensive Plan* consists of both goals and recommendations in text format as well as a Future Land Use Guide, both of which are relevant to this analysis. Page number references throughout this report relate to the *Envision Jefferson 2035 Comprehensive Plan*.

A. Land Use and Growth Management Element: Shepherdstown Preferred Growth Area (PGA)

One of the key concepts that the Land Use and Growth Management Element of the *2035 Plan* addresses is how to better influence the location of new development within Jefferson County. As the cost of providing services and utilities increases, many communities similar to Jefferson County have come to the realization that it is more sensible to identify specific areas that can handle development and growth, and to focus infrastructure and community service investments in these areas. In Jefferson County, there are four area types that are identified as part of *Envision Jefferson 2035 Plan* (pp.16-17).

STAFF REPORT

Jefferson County Planning Commission Meeting

October 10, 2017

The land use area types include Urban Growth Boundaries (UGB) and Preferred Growth Areas (PGA), which are the sections of Jefferson County where urban scale development is to be targeted over the planning horizon of the *2035 Plan*; and Rural/Agricultural Areas and Villages, where limited development is possible but is not intended for urban-scale development. (p. 17)

In 2014, Shepherdstown adopted a Growth Management Boundary (GMB), which meets the WV code definition of a UGB and which is planned to have growth around the existing core of Shepherdstown and less intense development at the edges of the GMB. While this larger growth and annexation area is recommended in the Shepherdstown 2014 Comprehensive Plan, the *Envision Jefferson 2035 Comprehensive Plan* recognizes a smaller PGA to the southwest of the Shepherdstown core and the existing County zoning if it remains in the unincorporated area. (p.19)

The *Envision Jefferson 2035 Comprehensive Plan* states that the Shepherdstown PGA is “defined predominately by existing residential and commercial development, existing zoning, and access to water and sewer services. It encompasses an area broadly described as properties on either side of WV 45 past the west end of Old Martinsburg Road to Venice Way and to the south along the west side of WV 480 including land on either side of Potomac Farms Road. This area is included within Shepherdstown’s Growth Management Boundary (GMB) and is the primary area outside of Shepherdstown that this Plan anticipates developing at an urban level even if it remains in the unincorporated area.” (pp. 20-21)

The property included in this petition is inside the boundaries of the *2035 Plan*’s Shepherdstown PGA and therefore intended for eventual urban-level development intensity. If this rezoning is approved, the applicant is encouraged to coordinate and collaborate with the Corporation of Shepherdstown to determine when public water and wastewater treatment may be available so this property can develop to the anticipated urban-level intensity.

B. Future Land Use Guide/Shepherdstown PGA Map

The property which is a part of this Zoning Map Amendment request is shown on the Future Land Use Guide and the Shepherdstown Preferred Growth Area Map (shown below; p. 220) as Future Mixed Use Residential/Commercial.

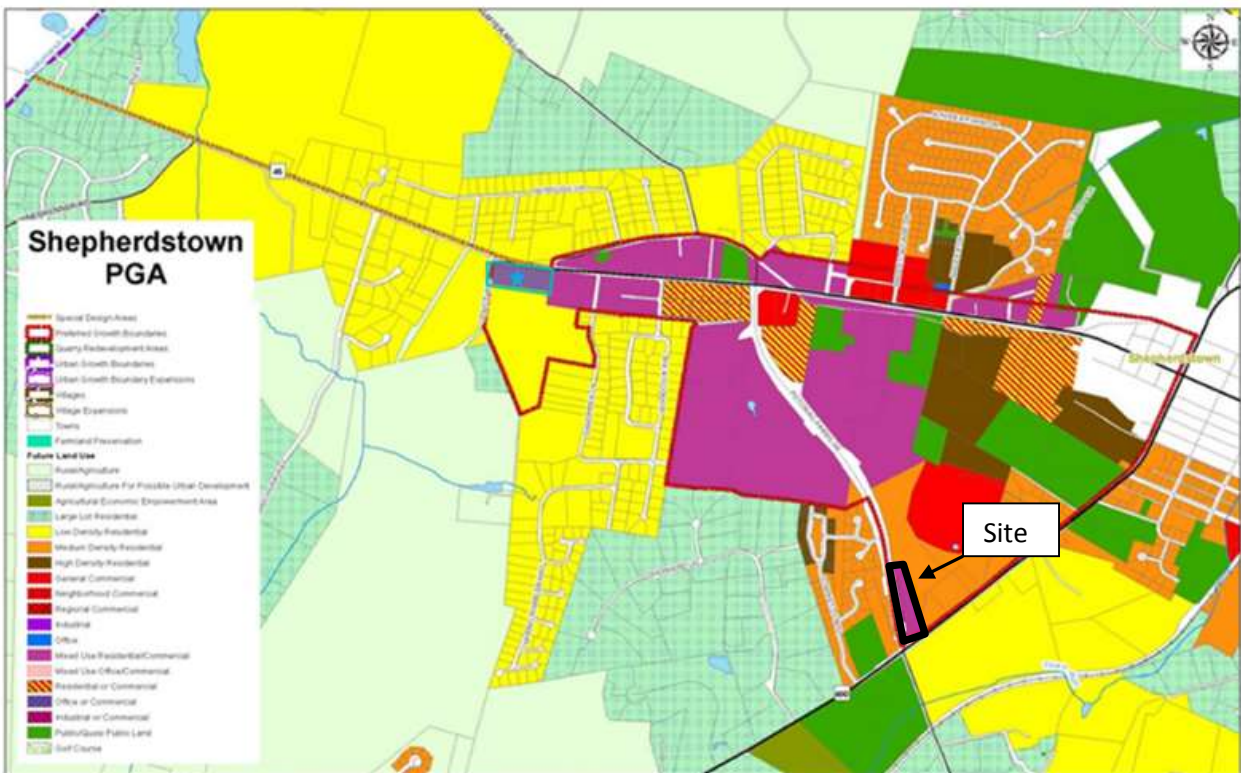
Appendix G of the *Envision Jefferson 2035 Comprehensive Plan* provides a detailed explanation of the Land Use Map Classifications utilized on the Existing Land Use Map and Future Land Use Guide which are intended to provide guidance to the Planning and County Commissions when considering owner-initiated zoning map amendments (rezoning requests). It further notes that while some of the land use classifications may require new zoning categories, the land uses were not intended to be a comprehensive list of possible zoning districts. (p. 235)

Appendix G states that the intent of the Mixed Use Residential/ Commercial land use category is to reflect areas which are intended to support the mixing of residential and commercial uses. The Plan states that this land use classification should result in the creation of a new zoning district that would permit this activity, with a mandatory mix of uses to be determined through the zoning text amendment process. The only zoning district which currently exists and requires such a mix is the Planned Neighborhood Development (PND) District. (pp. 237)

STAFF REPORT

Jefferson County Planning Commission Meeting

October 10, 2017



The property that is included in this rezoning request was incorporated into the Shepherdstown Preferred Growth Area based on the relationship to the road network and potential public water and wastewater service areas. The recommended Mixed Use Residential/ Commercial land use category reflected a previously approved Conditional Use Permit, the location at a major intersection of two state roads, controlled access to a four lane highway and the potential to provide services to the existing and/or approved residential in the area. While rezoning to the requested General Commercial does not create a mixed residential/commercial use development on this 3.56 acre parcel, it does permit the development of a commercial or office development which will complement and be integrated with adjoining residential developments in this quadrant of the PGA.

C. Proposed Zoning District – General Commercial (GC):

The General Commercial (GC) Zoning District (Section 5.12) was a part of the commercial zoning districts approved by the County Commission in May 2014. The purpose of this district is to provide for general destination business uses, which provide a broad range of commercial products and services necessary for large regions. The uses in this district may be characterized by medium-to-large buildings (including retail stores of up to 100,000 square feet of gross floor area for an individual building as per the definition of Retail Store, Large in the ordinance), more intensive commercial activity, and more vehicular traffic than would be permitted for uses in the Neighborhood Commercial District, which is the zoning of the Morgan Grove Market property nearby.

This zoning category is intended for use on properties in locations where the appropriate land use category is designated on the future land use map (and related text) in the *Envision Jefferson 2035 Comprehensive Plan*. The GC District includes numerous Principal Permitted and Conditional Uses listed in Appendix C (attached). Residential uses are not permitted in the GC zoning category. The

STAFF REPORT

Jefferson County Planning Commission Meeting

October 10, 2017

Principal Permitted uses include numerous Institutional Uses, some Industrial Uses, commercial uses and agricultural uses.

As noted previously, the parcel included in this proposal is inside the boundaries of the *2035 Plan's* Shepherdstown PGA and shown for a mixture of commercial and residential uses. While General Commercial can develop structures that are fairly large, the limited size of this property and the relationship to the four-lane road and multiple existing and/or approved residential developments should allow a commercial development that is compatible with the intent of the *Envision Jefferson 2035 Comprehensive Plan*.

Staff Recommendation

Staff finds the proposed rezoning is **consistent** with the *Envision Jefferson 2035 Comprehensive Plan*. It is located within the identified Shepherdstown Preferred Growth Area in the *Envision Jefferson 2035 Plan* and is proposed for a mixture of residential and commercial development on the Future Land Use Guide. The applicant has indicated the intent to integrate the proposed commercial development with existing and approved future residential development on adjoining properties and in the surrounding area.

Planning Commission Action Required

Article 12 of the Zoning Ordinance and the relevant sections of WV State Code requires the County Commission to refer rezoning petitions to the Planning Commission for their review and recommendation as to whether the amendment is consistent with the adopted Comprehensive Plan. Such recommendation is required to be sent to the County Commission prior to the County Commission's public hearing which shall be held within 60 days of the date the petition is presented.

The County Commission has scheduled the required Public Hearing for October 19, 2017 at 1:30 PM. Therefore, the Planning Commission is required to review this application and make a recommendation to the County Commission prior to this Hearing.

Attachments:

- Portion of Appendix C – General Commercial District



JEFFERSON COUNTY, WEST VIRGINIA
Departments of Planning and Zoning

116 East Washington Street, P.O. Box 338
 Charles Town, WV 25414

COPY

File Number: 47-03

Staff Initials: _____

Application Fee: \$ _____

www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

Phone: (304) 728-3228
 Fax: (304) 728-8126

Zoning Map Amendment (Rezoning)

Pursuant to Article 12, a Zoning Map Amendment is a procedure to amend the official Zoning Map of the County by changing the zoning designation of a property. In order for a proposed amendment to be approved, the County Commission, with the advice of the Planning Commission, must find that the amendment is consistent with the adopted Comprehensive Plan, or if it is inconsistent, must make findings in accordance with the requirements of 8A-7-8 et seq of the WV State Code. All Amendments to the Zoning Map require a Public Hearing to be held by the Planning Commission for the purpose of making a recommendation to the County Commission. Subsequently, all recommended map amendments require a Public Hearing before the County Commission prior to a final determination.

Property owner information

Name: Rankin Properties, LLC
 Mailing Address: 99 Maddex Square, Shepherdstown, WV 25443
 Phone Number: c/o 304/676-8256 Email: _____

Applicant contact information

Name: Christopher Rankin and Paul J Raco
 Mailing Address: Above and Below
 Phone Number: _____ Email: _____

Applicant representative

Name: P. J. Raco Consulting, LLC Paul J Raco
 Mailing Address: P.O. Box 548, Charles Town, WV 25414
 Phone Number: 304/676-8256 Email: pjraco.consulting@gmail.com

Physical property details

Physical Address: Route 45 Connector Road/Potomac Farms Road NW Corner at Route 480 Intersection
 City: Shepherdstown State: WV Zip Code: 25443
 Tax District: 9 Map No: 8 Parcel No: 8.1
 Parcel Size: 3.56 +- Acres Deed Book: 1015 Page No: 89

Current Zoning District (please check one)

Residential Growth (RG)	Industrial Commercial (IC)	Rural (R)	Residential- Light Industrial- Commercial (RLIC)	Village (V)	Neighborhood Commercial (NC)	General Commercial (GC)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Highway Commercial (HC)			Light Industrial (LI)	Major Industrial (MI)	Planned Neighborhood Development (PND)	Office/ Commercial Mixed-Use (O/C)
<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RECEIVED
 SEP 13 2017
 JEFFERSON COUNTY
 PLANNING, ZONING AND ENGINEERING
 Place Received Date Stamp Here

Proposed Zoning District (please check one)

Residential Growth (RG) <input type="checkbox"/>	Industrial Commercial (IC) <input type="checkbox"/>	Rural (R) <input type="checkbox"/>	Residential- Light Industrial- Commercial (RLIC) <input type="checkbox"/>	Village (V) <input type="checkbox"/>	Neighborhood Commercial (NC) <input type="checkbox"/>
General Commercial (GC) <input checked="" type="checkbox"/>	Highway Commercial (HC) <input type="checkbox"/>	Light Industrial (LI) <input type="checkbox"/>	Major Industrial (MI) <input type="checkbox"/>	Planned Neighborhood Development (PND) <input type="checkbox"/>	Office/ Commercial Mixed-Use (O/C) <input type="checkbox"/>

For a Zoning Map Amendment request, the "burden of proof" is on the applicant to show why the proposed zoning is more appropriate than the existing zoning. Accordingly, please explain how the following factors support your proposal.

Describe your proposed use (and/or project) and describe why the Zoning Map Amendment is necessary for the proposed use (and/or project) described.

Map Amendment from Residential Growth to General Commercial as supported by the Envision Jefferson 2035 Comprehensive Plan.

Describe how the Zoning Map Amendment will be consistent with the objectives and policies of the Comprehensive Plan.

See Attached

Discuss any change(s) of transportation characteristics (i.e., type and frequency of traffic, adequacy of existing transportation routes), and neighborhood characteristics from when the original ordinance was adopted.

See Attached

Do you request that the Planning and Zoning Staff present the petition to the Planning Commission for the purpose of setting the public hearing date?

- Yes, I request that the Planning and Zoning Staff present the petition
- No, I prefer to present the petition



Plat or Sketch Plan (provide as an attachment to this application)

The plat or sketch must be pursuant to Zoning Ordinance, Section 7.4 (b). The sketch plan shall include the entire original parcel as it appeared on the date this ordinance took effect. The property proposed for development shall be drawn to a reasonable scale (eg. 1" = 50', 1" = 100', or 1" = 200'). The sketch plan shall show, in simple form, the proposed layout of lots, parking areas, recreational areas, streets, building areas, and other features in relation to each other and to the tract boundaries. Contour lines should be superimposed on the sketch plan. Natural features such as woods, watercourses, prominent rock outcroppings, sinkholes and quarries shall be delineated.

Is Plat or Sketch Plan attached?

Yes **No**

Original signature of all property owners is required. The information given is correct to the best of my knowledge (Please attach additional signature page if needed).

 Sept. 12, 2017  Sept. 12, 2017

Signature of Property Owner

Date

Signature of Property Owner

Date

The Planning Commission is required to set a public hearing on the proposed Zoning Map Amendment within 60 days of the date upon which a complete petition is presented to the Planning Commission at a Planning Commission Meeting. A complete petition, and related fees, shall be submitted to Departments of Planning and Zoning for placement on the Planning Commission agenda at least two (2) weeks prior to the meeting date at which the petition will be presented. Upon request, Planning and Zoning staff can present the petition to the Planning Commission on behalf of the applicant for purpose of setting the public hearing date. At the conclusion of the Planning Commission's Public Hearing, or at the next regular Planning Commission meeting, the Planning Commission shall make a recommendation to the County Commission regarding approval or disapproval of the requested Map Amendment. This recommendation shall be forwarded to the County Commission within four (4) weeks of final Planning Commission action.

The Planning Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote of _____ for and _____ against, this day of _____, _____, _____.

Recommended **Not Recommended**

The County Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote of _____ for and _____ against, this day of _____, _____, _____.

Approved **Disapproved**

Final Determination/Other Comments

REQUEST FOR MAP AMENDMENT/Rezoning
Rankin Properties LLC
District 9, Map 8, Parcel 8.1
September 13, 2017

Property Owner and Applicant:

Rankin Properties, LLC
Christopher Rankin
99 Maddex Square
Shepherdstown, WV 25443

RECEIVED

SEP 13 2017

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

Request:

Amend the Zoning Map for this 3.56 Acre Parcel Based on its Consistency with the Envision Jefferson 2035 Comprehensive Plan. Currently, the property is Zoned for Residential Growth and this Map Amendment is for General Commercial.

Section of Ordinance:

Article 12 of the Jefferson County Zoning and Development Review Ordinance, as amended.

A Map Amendment is defined as: "An amendment to the Zoning Map which is adopted by reference in the Zoning Ordinance that consists of a change that only applies to a specific property, changing from one existing zoning designation to another existing zoning designation. A map amendment does not permit changes, conditions or alterations to uses permitted within an existing zoning designation as all zoning designations must be uniformly applied to all property which are subject to said designation."

Substantiation for the Request:

1. The request is consistent and very much compatible with the 2015 Jefferson County Comprehensive Plan (Envision Jefferson 2035). This Plan was adopted recently and places this property in the Preferred Growth Area and the Future Land Use Guide identifies this property as a commercial and/or residential property. The plan's applicable recommendations are explained in this narrative.
2. The subject property is within the Shepherdstown Preferred Growth Area and Growth Boundary (UBG per Code). As such, the Comprehensive Plan supports Urban Level Growth in and around this property.

3. Central Water and Sewer services are available in this neighborhood.
4. Since the Zoning Ordinance was adopted in 1988, there have been several significant changes in the neighborhood. The most notable change was the construction of the Connector Road which functions as a bypass around Shepherdstown. This road is adjacent to the Applicant's property and the DOH has constructed an entrance on the Connector Route to serve the property directly. Other changes in the neighborhood include the development of the Maddex Commercial Area (Food Lion, etc.); the construction of the Clarion Conference Hotel and National Training Center; the enhancement to the entrance to the western campus of Shepherd University; the rezoning of the Lowe property located on the other end of the connector road; and, the development of the Colonial Hills Subdivision in this neighborhood. These and other changes are described in this narrative.
5. Since the Zoning Ordinance was adopted in 1988, there has also been a significant change in Transportation Characteristics including the construction of the Connector Route that this property accesses.
6. Current Zoning, Residential Growth, would allow for a dense apartment complex. As such, the map amendment to General Commercial will not have a negative impact in the neighborhood.

Tax Parcel Information:

Shepherdstown Tax District, Map 8, Parcel 8.1

Deed Book Reference:

Deed Book 1015 at Page 89

Sketch Plat:

Attached

Tract Size:

Approximately 3.56 Acres

Ordinance Required Discussion on:

The compatibility of the proposed change with the Jefferson County Comprehensive Plan; and,
The change of transportation characteristics and neighborhood from when the original zoning ordinance was adopted in 1988.

A. Comprehensive Plan Compatibility

Among the many recommendations in the 2015, Envision Jefferson 2035 Jefferson County Comprehensive Plan, the following sections address items pertinent to this map amendment.

As found on page 13 of the 2015 Comprehensive Plan, there are only 6 Preferred Growth Areas (PGAs) in Jefferson County that are targeted for urban scale growth. The subject parcel is within the Shepherdstown PGAs. The attached map shows the Shepherdstown PGA. The Comprehensive Plan was recently adopted after several years of meetings in various neighborhoods of the County and after extensive work by the Staff, the Steering Committee, Planning Commission and County Commission. As common with communities that have just adopted a new Comprehensive Plan, there will be many ordinance amendments and map amendments processed in order for the map and ordinances to better reflect the new Plan. In this case, both the 2004 Plan and the new 2015 Plan show this property within the Growth Area around Shepherdstown. The new Envision Jefferson 2035 Plan is more specific in that it shows this property within the Preferred Growth Area and specifically identifies the property for Commercial and/or Residential Development.

A main difference between the new Comprehensive Plan and the previous versions of the Plans completed in the 80s, 90s, and 00s, this Plan has a Future Land Use Guide (Map) that specifically delineates properties for future uses and map amendments. The subject property is properly located on the Future Land Use map (Guide) as Commercial or Residential in this 2015 Plan. The property is now zoned for Residential Growth including apartments and the Applicant would like to expand the capabilities of the property to allow commercial opportunities. As shown on this guide, this requested change is consistent with the Future Land Use Guide. As described in other sections of this document, the residential development in the neighborhood around Shepherdstown (particularly Colonial Hills is this immediate neighborhood) will need some commercial development to provide services and to provide an increased tax base to supplement the residential tax base provided by the subdivisions in the area.

The Comprehensive Plan's maps and guides continue to show that this property is read for future development, especially commercial development due to its location. This type of use is what the Commission intended when it was added to the Preferred Growth Area and designated as Commercial or Residential on the Future Land Use Guide.

Page 17 of the Comprehensive Plan describes the various categories of land, including PGAs as follows:

“Land Use Activity Areas

This Plan details four broad types of land use activity within Jefferson County where development is to be targeted over the planning horizon of Envision Jefferson 2035.

Four Comprehensive Types of Land Use Activity within the Designated Areas

Urban Growth Boundaries
Preferred Growth Areas (PGAs)
Villages
Rural/Agricultural Areas

The first two area types addressed below, Urban Growth Boundaries (UGB) and Preferred Growth Areas (PGA) (including one residential growth area), are the sections of Jefferson County where urban scale development is to be targeted over the planning horizon of Envision Jefferson 2035.” Emphasis Added.

A further explanation of PGAs is found on Page 20 of the Plan:

“The PGAs are not intended to be promoted in favor of the UGB for the municipalities. Both areas are expected to be viable areas for development and no policy decision is being made to favor one area over another. Each of the PGA Maps can be found in Appendix F – Maps” Emphasis Added.

In this case, the subject property is both in an Urban Growth Boundary (UGB, as defined by the Code) and the Preferred Growth Area (PGA). Therefore, pursuant to the Comprehensive Plan, this location is prime for development since it is in both of these designated areas, along with the fact that the property fronts on the Route 45 Connector Route and is close to both commercial development and residential subdivisions.

The most definitive section of the Envision Jefferson 2035 that supports this map amendment is found on Page 20:

“a. Shepherdstown PGA (an area located south and west of Shepherdstown)

This PGA is defined predominately by existing residential and commercial development, existing zoning, and access to water and sewer services. It encompasses an area broadly described as properties on either side of WV 45 past the west end of Old Martinsburg Road to Venice Way **and to the south along the west side of WV 480 including land on either side of Potomac Farms Road. This area is included within Shepherdstown’s Growth Management Boundary (GMB) and is the primary area outside of**

Shepherdstown that this Plan anticipates developing at an urban level even if it remains in the unincorporated area. (Emphasis Added)

It is clear that this section specifically recognizes the subject property as one of the primary properties that is slated for Urban Level Growth. Furthermore, it cannot be over developed since it is a narrow, 3.56 acre parcel. It is ideal for a small professional office or commercial center that will serve the immediate residential area. This type of project will provide for services, while keeping traffic to a minimum. It should provide an area that will be walkable from the Colonial Hills Residential Subdivision.

Finally, the following recommendation is found in the Urban Level Development Recommendations Table starting on **Page 30** of the Plan:

“5. Create urban level land uses within the municipalities, UGBs, PGAs, or Villages through rezoning that is consistent with the Plan recommendations.

The requested Map Amendment is also supported by the following Economic Development portions of the 2015 Comprehensive Plan:

“Focusing Economic Development in Municipalities, Urban Growth Boundaries, and Preferred Growth Areas

Envision Jefferson 2035 expects urban level commercial, office, and industrial activity to be located in the municipalities, within the Urban Growth Boundary and **Preferred Growth Areas**, where the infrastructure is expected to be available to support these uses.” (Page 69)

And on Page 70: Recommendations:

“5. Create a business friendly environment in Jefferson County.

6. Develop methods to promote local business growth which include providing research, support, and marketing resources that would assist business start-ups in Jefferson County.”

Based on these portions of the Envision Jefferson 2035 Comprehensive Plan, the Future Land Use Guide, the Future Development Area Map, and the Shepherdstown PGA Map and the Shepherdstown Growth Boundary (GMB/UGB), this map amendment is consistent and compatible with the Plan. The Consistency with, and Compatibility to the existing Comprehensive Plan and the Future Land Use Guide are the two most important criteria to be used for a Map Amendment.

B. Shepherdstown UGB/GMB, Shepherdstown PGA and Future Land Use Guide

The subject property is located squarely in the core of the all the Growth Areas around Shepherdstown. It is also shown on the Future Land Use Guide (Map, Attached) as Commercial and/or Residential. As there is much planned residential in this neighborhood, the rezoning of this property pursuant to the Future Land Use Guide, will allow needed commercial services to support this residential. The PGA UGM/GMB and Future Land Use Guide are thoroughly discussed in A above. The maps are included in this application.

Based on the location of this property within these areas, the property has already been determined to be an intensive growth area. This area was vetted by the Public, Staff, Planning Commission and County Commission as an area for Urban Level Growth. As stated above, these maps and guides that are a Part of the Comprehensive Plan are the primary resources to be utilized by the Commission to approve a Map Amendment.

C. Sewer and Water

This property is within the Shepherdstown Water and Sewer Service area and is part of the reason that this area has been included within the Growth Areas and designated as commercial on the Future Land Use Map. Colonial Hills Subdivision is also served by Shepherdstown Water and Sewer. Any development on this property will be responsible for the extension of any utilities to the property. As the Comprehensive Plan points out in many sections, Urban Level Growth should be directed into the areas served by central sewer and water. Accordingly, the Plan supports this Map Amendment based on the availability of utilities in this area.

As addressed below, the Shepherdstown Wastewater Treatment Plant has just undergone a tremendous quantity expansion and quality renovation.

D. Change of Neighborhood

It is important to point out that the Zoning Ordinance requires a discussion of the changes in an area since the original Zoning Ordinance was adopted in 1988. Some of these neighborhood changes are recent and others were completed years ago.

The neighborhood has undergone significant changes since the zoning ordinance was adopted. In 1988, the Shepherdstown Wastewater Treatment Plant was nearing capacity and that is probably one of the reasons that more land wasn't zoned for residential or commercial uses at that time. That Shepherdstown Treatment Facility has recently completed a major upgrade and can now support additional growth. Another huge change in the neighborhood very specific to the subject property is that the Route 45 Connector Road (Potomac Farms Drive) bisected the property in 2000/2001. The subject 3.56 acre portion of the property is on the northwest corner (Shepherdstown) side of Potomac Farms Drive's intersection with Route 480.

This property is referred to as one of the properties on 'either side of Potomac Farms Drive' which is slated for development in the Plan. This change will be further discussed in the Change of Transportation Characteristics' part of the petition. Finally, the neighborhood has added a considerable number of residential units in several subdivisions including Maddex, Kensington, Tollhouse Woods and Colonial Hills. Along with this residential growth, other commercial areas have also developed since 1988, leaving a deficit of available commercial land in and around the growth areas of the County.

The following are changes in the neighborhood that would specifically support the requested change from Residential Growth to the General Commercial District:

1. Availability of Public Utilities and Services:

Public Water and Sewer is now available in this neighborhood. Furthermore, the recent Wastewater Treatment Plan expansion has increased its capacity to sustain additional growth in the Growth Area Boundaries. The availability of the capacity is a change for this neighborhood since 1988. As stated earlier, one of the Comprehensive Plan's primary objectives is to funnel growth into areas already served by existing infrastructure such as sewer and water:

'This Plan recommends that new development will take place in areas where infrastructure exists and the extension of services to growth in outlying areas will occur in accordance with the goals and objectives of this Plan.' (Page 27)

The allowance of growth in this area because of both the sewer and water and location within the aforementioned UGB/GMA and PGA is also supported by Recommendation 5a found on Page 30:

"Direct new urban level residential developments to locate in preferred areas within the municipalities, UGBs, PGAs, or Villages where water and sewer services are available." (Emphasis added)

In this case, any needed construction of these services on the property will be paid for by the owner. There would be no unreasonable costs to the community, since the additional utility customers would allow the Town to keep the rates stabilized.

Regarding schools, the property is already zoned for high density residential growth. Therefore, the map amendment will only provide for a lessened impact on the schools, since the addition of the commercial component would reduce the number of residential units permitted.

2. Growth in the Area:

Several large residential projects have been completely developed in this area that would benefit from the additional commercial growth that would be permitted with this map amendment. Four of these, Colonial Hills, Tollhouse Woods, Kensington Townhouses and Maddex Subdivision (near the northwest end of Potomac Farms Road), are residential developments that are approved with a considerable number of residential units. Colonial Hills has just started to develop units again and expect substantial growth in the next couple of years. While the Maddex development has a small amount of commercial services available to the residents in the Maddex Subdivision, Colonial Hills, Tollhouse Woods and Kensington Townhouses are approved mostly as residential developments. As these subdivisions build out, they will most certainly need nearby commercial services available to their residents. Due to the limited area of Shepherdstown and the traffic congestion and parking problems within the town, it is imperative that some commercial services be made available to the residents outside of town. Otherwise, the town will only be surrounded by residential development. Furthermore, these new commercial services should not have a negative impact on the businesses within the Central Business District of Shepherdstown, because of the unique collection of eclectic shops that are already in town. As exhibited in other growth areas around small historic town centers, these types of shops continue to be utilized by both residents and tourists.

The other significant development in the area that was built after the zoning ordinance was adopted is the Clarion Conference Hotel and National Training Center. This hotel and conference center hosts many guests and conferences and provides other governmental office space. The people attending these functions will also be able to utilize the commercial services on this property. A participant at the facility would have the ability to walk to both this property and downtown Shepherdstown for commercial services.

The primary area that is zoned for commercial uses in the Shepherdstown Growth area has mostly been developed. The original zoning map only allowed for limited areas for commercial development in the Shepherdstown Growth Area. These areas were zoned for the Mixed-Use District. Most of that commercial area was the Maddex Farm area that is now almost entirely developed for commercial uses. Therefore, it is vital to change some of the residential land into the general commercial district. Otherwise, commercial growth in the Shepherdstown Growth Area will not be able to meet the demands of the residential properties in that growth area. This map amendment is a perfect opportunity to take some property slated for residential use and allow it to develop commercially. It will also provide for some limited commercial development in the area to serve the residential developments in the area.

Most recently, the changes in neighborhood include the conversion of the old service station (just two properties north of the subject property) to a commercial operation called Sustainable Solutions. Also, the rezoning of the former Henry's Restaurant was approved for a mixed used development of commercial and residential uses. The concept plan for that property was recently approved by the County.

Finally, the owner of this property also owns Christian Caine, a Jewelry Designer in Jefferson County for the past 25 years. They are currently located in the Maddex Square Shopping Center and are strongly considering a move to this property if the map amendment is approved. If the business does not move, similar types of limited uses are contemplated for this site that will be subject to setbacks and buffering requirements.

E. Change of Transportation Characteristics:

Please note that this property is already zoned Residential Growth. As such, there should be little significant difference in traffic from this property if it is rezoned to General Commercial. As a matter of fact, it should provide for less traffic than if this property developed into a permitted apartment complex. Additionally, a small-scale commercial and/or office center would have a more favorable outcome regarding traffic since some of the local residents could utilize the commercial services available if the property is rezoned. The major change to this area from a transportation standpoint was when Potomac Farms Drive (Alternate Route 45) was constructed through the Applicant's property. The State left an area for an entrance into the Applicant's property. This would allow the property to develop into a commercial operation using the road and will still obtain DOH approval for any of the entrances onto the State roads. The size and shape of the property should provide an opportunity to plan a small neighborhood commercial and/or office center that can serve the area. The construction of the connector route was to provide for alternative traffic patterns to alleviate congestion within Shepherdstown. A small commercial center on this property will accomplish that goal.

The addition of this connector road (functionally a bypass), along with the expanded entrance into the western campus of Shepherd University, has considerably changed the transportation characteristics of the expanded neighborhood. These two improvements have allowed traffic to bypass Shepherdstown to keep pass through traffic away from the more congested areas of town. The addition of commercial services in the western and southwestern areas of Shepherdstown should further reduce commercial traffic in the downtown area of Shepherdstown, without negatively affecting the unique collection of shops in town.

F. Current Permitted Uses on the Subject Property:

The property can currently be developed into a dense residential apartment complex by virtue of its Residential Growth designation. The already approved subdivisions in the neighborhood would seem to be better served by some small scale commercial or office uses as opposed to additional dense housing. This map amendment would provide for less impact (no students) on the schools, as well as less impact on sewer and water services. It would also allow a use that would be taxed at a higher rate than a residential development that could currently be built on this property. The size and shape of the property itself will limit the size and scope of a potential commercial or office building. This property is incapable of supporting a huge commercial project due to the shape, size and setback constraints that exist. The Applicant is requesting the change, because the commercial aspect seems to be the most desirable use in this area to serve the expanding residential developments in the area. Furthermore, it appears that the County Commission has been very supportive of enhanced business opportunities in Jefferson County that this map amendment would allow.

G. General Policy of the Comprehensive Plan:

As cited in the previous pages, there are specific sections of the Comprehensive Plan that support this map amendment. Consistency with and Compatibility to the Envision Jefferson 2035 Comprehensive Plan are the prevailing reasons that the Commission should grant approval to a Map Amendment or Rezoning. This proposal very much meets those requirements. Beyond the specific provisions, the general policies found throughout both the current Plan and the previous Plan (2004) support this map amendment. This property has been located within the primary growth area around Shepherdstown for many years. As such, this request should respectfully be approved.

H. Conclusion:

The Applicant is requesting this map amendment for this 3.56 acre parcel for the benefit of economic development in Jefferson County. Therefore, the Applicant respectfully requests that the County Commission approve this map amendment to the Jefferson County Zoning Map. This Application cites many reasons why the map amendment should be approved. As such, the Applicant is requesting a map amendment by the County Commission. The request is entirely consistent with the Future Land Use Guide and the Comprehensive Plan. The property is within the Shepherdstown Preferred Growth Area (PGA) and the UBG/GMA and is shown as commercial on the Future Land Use Guide. As such, the request is very consistent with the recommendations and policies in the Comprehensive Plan. The Applicant also believes that: the 2015 Envision Jefferson 2035 Comprehensive Plan (and the previous 2004 Plan); the general philosophy of the County Commission regarding

business enhancement in Jefferson County; and, the changes in the neighborhood from when the original zoning ordinance was adopted, all support the requested map amendment. The requested rezoning will change this property's zoning designation from the Residential Growth District to the General Commercial District. Thank you for the Commission's consideration of the request.

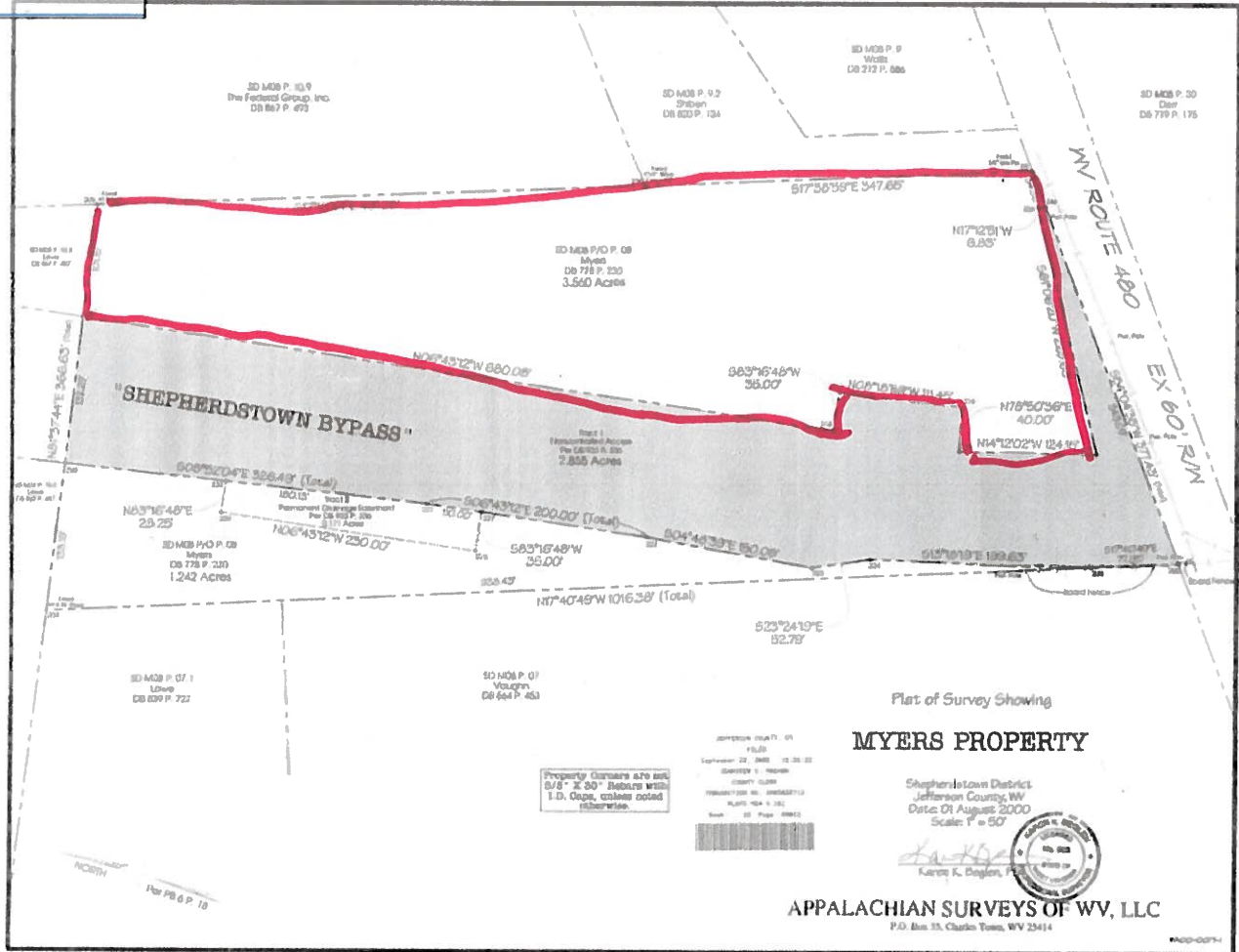


Owner

508112, 2017

Date

Source: JC Clerk's & Assessor's office



[Handwritten mark]

Plats courtesy of the [Jefferson County Clerk's Office](#), Jennifer Maghan, Clerk

Future Land Development Jefferson County, WV

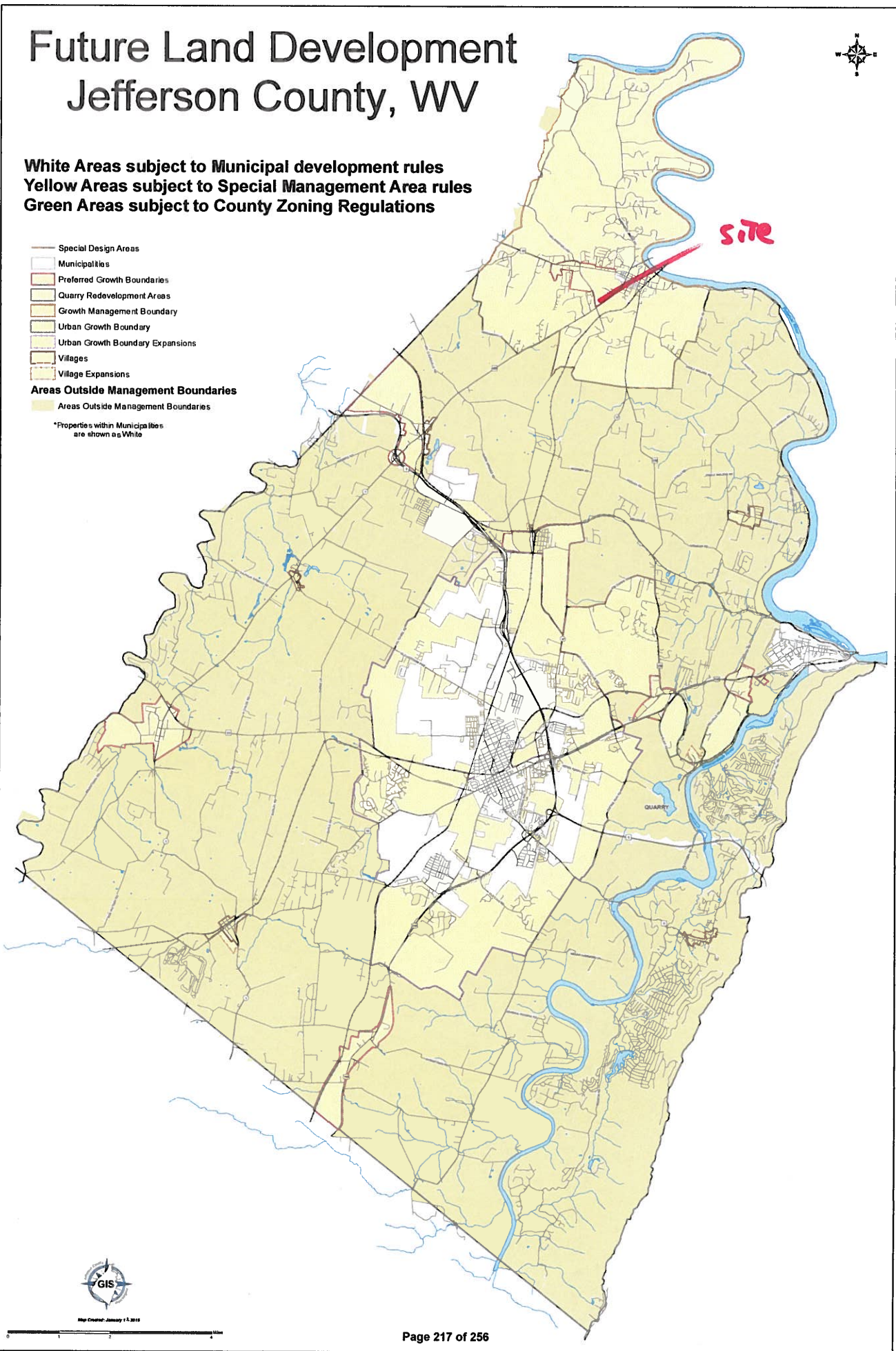


White Areas subject to Municipal development rules
Yellow Areas subject to Special Management Area rules
Green Areas subject to County Zoning Regulations

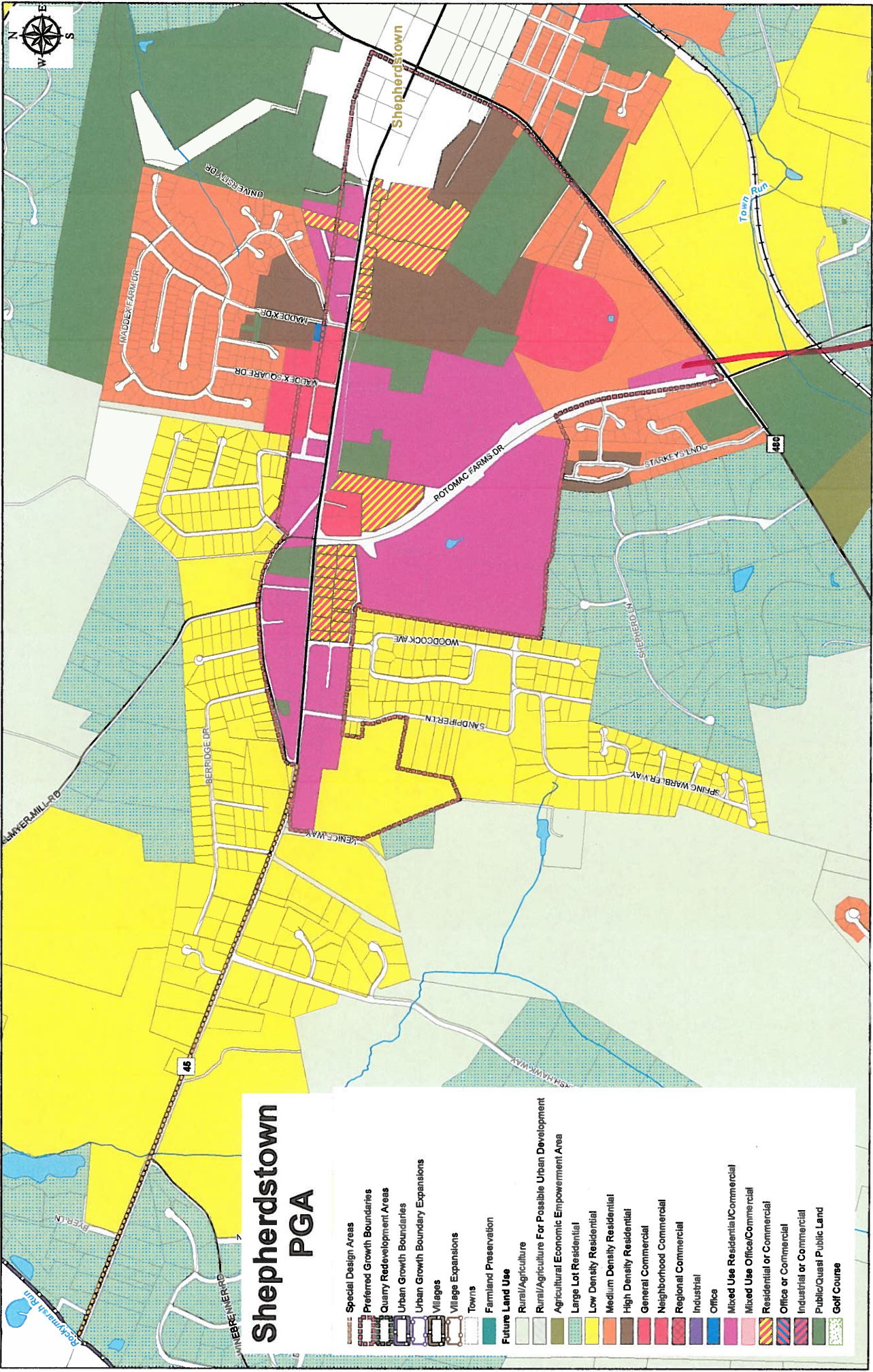
- Special Design Areas
- Municipalities
- ▭ Preferred Growth Boundaries
- ▭ Quarry Redevelopment Areas
- ▭ Growth Management Boundary
- ▭ Urban Growth Boundary
- ▭ Urban Growth Boundary Expansions
- ▭ Villages
- ▭ Village Expansions
- Areas Outside Management Boundaries**
- ▭ Areas Outside Management Boundaries

*Properties within Municipalities
are shown as White

SITE



Map Created: January 11, 2011



SITE

Shepherdstown PGA

	Special Design Areas
	Preferred Growth Boundaries
	Quarry Redevelopment Areas
	Urban Growth Boundaries
	Urban Growth Boundary Expansions
	Villages
	Village Expansions
	Towns
	Farmland Preservation
	Future Land Use
	Rural/Agriculture
	Rural/Agriculture For Possible Urban Development
	Agricultural Economic Empowerment Area
	Large Lot Residential
	Low Density Residential
	Medium Density Residential
	High Density Residential
	General Commercial
	Neighborhood Commercial
	Regional Commercial
	Industrial
	Office
	Mixed Use Residential/Commercial
	Mixed Use Office/Commercial
	Residential or Commercial
	Office or Commercial
	Industrial or Commercial
	Public/Quasi Public Land
	Golf Course



SWEARINGEN WAY

COMEGY DR

WEESE PT

POTOMAC FARMS DR

FOLKS PT

STARKE HILL Dg

BRANSON CIR

KEARNEYSVILLE PIKE

MORGAN GROVE RD

SHEPHERD LN

LOWE DR

HARTZELL DR





WEESE PT

COMEGY DR

FOLKS PT

BRANSON CIR

POTOMAC FARMS DR

KEARNEYSVILLE PIKE

MORGAN GROWER RD

STARKEYS LNDG

RECEIVED

SEP 13 2017

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING
Z17-03

E.D. **Automatic Extension.**

1. All requirements, for the vesting of property rights contained in an ordinance enacted pursuant to WV Code Section 8A-4-2 that require the performance of any action within a certain time period for any subdivision or land development plan or plat valid under West Virginia law and outstanding as of January 1, 2010, shall be extended as provided in a resolution passed by the County Commission until July 1, 2012, or longer as agreed to by the municipality, county commission or planning commission. The provisions of this subsection also apply to any requirement that a use authorized pursuant to a special exception, special use permit, conditional use permit or other agreement or zoning action be terminated or ended by a certain date or within a certain number of years.
2. Any subdivision or land development plan or plat, whether recorded or not yet recorded, valid under West Virginia law and outstanding as of January 1, 2010, shall remain valid as provided in a resolution passed by the County Commission until July 1, 2012, or such later date provided for by the terms of the Planning Commission or County Commission's local ordinance or for a longer period as agreed to by the Planning Commission or County Commission. Any other plan or permit associated with the subdivision or land development plan or plat shall also be extended for the same time period. *Provided, that* the land development plan or plat has received at least preliminary approval by the Planning Commission or County Commission by March 1, 2010.

Sec. 20.106 Adjustment of Lot Boundaries (Merger Plats)

Elimination of a lot line between two or more contiguous lots under the same ownership may process via a Deed only.

All other adjustments of boundary lines require submission and approval of a Merger Plat and shall be subject to the requirements of Appendix A Section 1.4 of these Regulations, Subsections 1 - 9, 12, 15, 16, 17, 27, 28 and 33 and shall be prepared on either a Legal Size sheet or an 18" x 24" sheet.

Boundary line adjustments shall only require field surveying of any newly created line. If the entirety of both lots cannot be shown at the scale of the plat, provide an inset map that depicts the total boundary of both parcels at a scale acceptable to staff. Source documentation for the unsurveyed lines shall be is noted on the plat; provided, however, that any provisions of the WV Code shall prevail. Any newly created line shall be referenced by a tie line into an existing monument stated in the deed of reference that is being used. The adjustment of boundary lines or the consolidation of lots or portions of lots for the exclusive purpose of increasing land area or adjusting shape shall be approved, provided that the following criteria are met:

A. That access to all lots included on this plat is not adversely affected and is depicted on the plat;

B. ~~provided~~ That no new lot is created;

C. That ~~and~~ the remaining area of the lot from which the land is taken, satisfies requirements for minimum lot size in the zone district in which it is located. Lot boundary adjustments between non-conforming lots shall be exempt from the minimum lot size criteria unless the lot(s) ~~from which the land is taken is~~ (are) rendered unbuildable.

A.D. That the following note shall be included on this plat and in the deed: ~~Properties so merged must clearly state in the deed the following, unless otherwise approved by the County Planner:~~

“The land(s) hereby conveyed is (are) adjacent to and contiguous with that certain parcel of land which is owned by the grantees herein, having been conveyed to them by deed of record in the Clerk’s Office of Jeffersonsaid County in Deed Book _____, Page _____, and this conveyance is made for the purpose of adjusting the boundary line(s) of said presently owned land(s) of the grantees.”

E. Provide acreage table on plat showing beginning acreages, the merged acreages and the final/net acreages for each lot in the following format:

<u>Acreage Table</u>		
	<u>Parcel A</u>	<u>Parcel B</u>
<u>Existing</u>	<u>— AC</u>	<u>— AC</u>
<u>Merger</u>	<u>+ — AC</u>	<u>-- AC</u>
<u>Final Area</u>	<u>— AC</u>	<u>— AC</u>

F. If the merger is occurring within a previously approved subdivision, a note which references the original plat stating “See PB _____ (Plat Book) PG _____ (Page Number), for subdivision notes and restrictions” shall be added.

B-G. _____ New lot lines do not create any setback violations. A note shall be added to the plat to this effect or front, rear and side setbacks shall be designated on the Plat along with any existing structures.

A ~~deed~~ plat shall be required to be recorded with the ~~plat~~ deed and shall include the Plat Book and Page Number of the recorded plat and the note from 20.106 (D) above, clearly label the proposed merged land area.

Sec. 20.107 Conservation Easements

All easements created and approved by the Jefferson County Farmland Protection Board, or any other land, viewshed, wildlife, water, or historic conservation agency or group, for the purpose of preservation shall process a deed with a corresponding exhibit detailing the boundary of the conservation area through the Office of Planning and Zoning prior to recordation. The extinguishment and retention of any development rights shall be detailed in the deed and on the exhibit.

Division 20.200 Types of Development

Unless explicitly stated within the individual sections listed in this Division, all requirements of these Regulations apply to each of the types of development listed below. Appendix A and Appendix B are included as requirements. Each development type shall comply with the requirements of the zone district in which it is located and may be limited by that zone’s restrictions. ~~Any subdivision in the Rural District since October 5, 1988, shall designate maximum density calculations on every plat. (See Zoning Ordinance)~~ Residue parcels from which development rights have been utilized prior to the effective date of these Regulations shall remain as residue parcels. Such parcels shall be limited to the number of development rights to which the parcel was entitled prior to the effective date of these Regulations. Excluded are developments for the purpose of extraction or harvesting of resources and for roads on agricultural land for the purpose of conducting the agricultural operation.

Sec. 20.201 Minor Subdivisions

Minor subdivisions are those that do not require the development of new off-tract infrastructure, the extension of existing off-tract infrastructure, or the creation of common areas, and result in the creation

of five (5) residential lots or less, or two (2) nonresidential lots or less, including the parent parcel or residue, from contiguously owned parcels of record. Such subdivisions are approved by the staff. ~~Standards for approval of a minor subdivision shall be as established in this section.~~ Further subdivision of a parent parcel beyond the maximum ~~five (5)~~ lots allowed to be created via the minor process after October 5, 1988 shall be classified as a ~~Major S~~ubdivision and processed accordingly, unless a waiver is applied for and approved by the Planning Commission. A list of all deed transfers since October 5, 1988 shall be submitted with each plat.

A. Residential.

All minor residential subdivisions shall ~~contain, but are not limited to,~~ conform with the following ~~criteria:~~

1. ~~Lots and Residue Parcel.~~ A minor residential subdivision divides the property into lots and a residue parcel. The subdivision of the lots creates the residue parcel out of the original parcel.
2. ~~Access. In the Rural District, lots having a minimum road frontage of 200 feet may front on an existing road right of way having a width of 50 feet. Shared driveway access may be required. All other lots, regardless of the zoning district, shall have motor vehicle access to a WV DOH road-right-of-way or easement or a road in a major subdivision that meets county roadway design standards (Table 2.2-1) via a 50' access easement which extends from the subdivided lots to the existing road right of way and provided that the access easement serves no more than five (5) lots. Said access easement shall not be permitted along any existing property lines. However, in the Rural District, lots having a minimum road frontage of 200 feet may have a single access onto an existing WV DOH right-of-way or easement or a road in a major subdivision that meets county roadway design standards (Table 2.2-1). Shared driveway access on the adjoining property lines may be required if the distance between the driveways is less than 200 feet.~~
3. ~~Water/Well or Sewer/Septic.~~ Potable water and sanitary sewer service shall be provided according to the requirements of Appendix B, *Engineering Standards*. All submissions shall provide a plat approved by the Department of Health or letters of water and sewer availability, as applicable.

B. Family Transfers.

When ~~parent to child or child to parent~~ family transfers are provided for in a specific zoning district, such transfers shall conform with the following: ~~abide by the requirements and standards of minor residential subdivision provisions and the following criteria:~~

- 4-1. The deed shall identify the relationship between the grantor and grantee and document that the recipient has not received a previous family transfer; and
- 5-2. State in the deed and on the plat:

“The lot transferred is to be used for a single-family residence only as long as the lot is not further subdivided. Any further subdivision of the lot shall dissolve the single-family restriction and will place development of the lot under the County land development laws in effect at that time. This lot cannot be transferred again for at least five (5) years; except as another ~~parent to child or child to parent~~ family transfer of land. Any

transfer of this lot within the five (5) year period shall place this lot in violation of the Jefferson County Subdivision and Land Development Regulations.”

3. All lots shall have motor vehicle access to a WV DOH right-of-way or easement or a road in a major subdivision that meets county roadway design standards (Table 2.2-1) via a 50' access easement which serves no more than twelve (12) family transfer lots. However, lots having a minimum road frontage of 200 feet may have a single access on an existing WV DOH right-of-way or easement or a road in a major subdivision that meets county roadway design standards (Table 2.2-1). Shared driveway access on the adjoining property lines may be required if the distance between the driveways is less than 200 feet.
4. Potable water and sanitary sewer service shall be provided according to the requirements of Appendix B, *Engineering Standards*. All submissions shall provide a plat approved by the Department of Health or letters of water and sewer availability, as applicable.
- 6.5. As used in this subsection, the word “transfer”, as it relates to the five year provision, shall not include:
 - a. Deeds to Trustees to secure a debt, except that no foreclosure can be had thereunder except at public auction and this provision must appear in the deed of trust;
 - b. Judicial sales or tax sales;
 - c. Mortgages;
 - d. Deeds of partition under or pursuant to an order of Court;
 - e. Real estate transferred by will or intestacy.
- 7.6. Each individual eligible to receive a family transfer as defined in the Jefferson County Zoning and Land Development Ordinance shall ~~A parent or a child may~~ receive only one such exempt lot within the County after July 19, 1979.
- 8.7. Parents who are married are entitled to only one such family transfer parcel.

B.C. Non-Residential.

The re-subdividing of a lot located in an approved industrial park or existing major non-residential subdivision shall be permitted to follow the minor non-residential subdivision process. When a non-residential land use subdivision is permitted provided for in the Rural Zoning District, such site development may utilize the minor non-residential subdivision provisions provided only one parcel is being subdivided off and only one use will be established on the lot. Additionally, any commercially zoned property may have a one-time exemption to divide off one lot utilizing the minor non-residential provisions providing that no off-site utilities are required and future connections to adjacent lots are provided. All minor non-residential subdivisions shall contain, but are not limited to, the following criteria:

1. **Lots.** A minor non-residential subdivision divides the property into more than one lot.
2. **Access.** All lots shall front on an existing internal subdivision road built to county grade road standards and having a minimum right-of-way width of 50 feet. Lots having direct access to a state road are not permitted to process as a minor, except for those proposals utilizing the non-residential permitted uses in the Rural District.

3. **Water/Well or Sewer/Septic.** Potable water and sewer shall be provided according to the requirements of Appendix B, *Engineering Standards*. All submissions shall provide a plat approved by the Department of Health.

Where, in the judgment of staff, a residential or non-residential proposal does not comply with the minor subdivision requirements and/or the intent of these Regulations, the proposed subdivision shall be classified as a major subdivision. The reason for such a determination shall be provided to the applicant in writing. The determination may be appealed to the Planning Commission for consideration and classification.

Sec. 20.202 Major Subdivision

A major subdivision, whether residential or non-residential, is any subdivision of land that requires the development of streets (public or private) or easements of access to the lots, or common area and/or includes the creation of more than five residential lots or more than two non-residential lots, that take access to an existing public street and/or requires the development of new off-tract infrastructure or the extension of existing off-tract infrastructure. (See definition of "Major Subdivision.") A subdivision may be classified as major if in the judgment of staff, a proposal does not comply with the minor subdivision requirements and/or the intent of these Regulations. The reason for such a determination shall be provided to the applicant in writing. The determination may be appealed to the Planning Commission for consideration and classification.

Sec. 20.203 Minor Site Development^{1, 3, 4, & 6}

Minor Site Developments are those proposals that do not require the development of new off-tract infrastructure or the extension of existing off-tract infrastructure.

~~If the development requires easements for drainage or other purposes, private roads, or parking, and access to public roads is involved that serve one or more land uses, it is a site development.~~

A. Minor Site Development Determination

Minor ~~S~~ite ~~D~~evelopments ~~are determined using the criteria defined in this Section. proposes one or more of the following:~~ Existing single family structures used as a single family ~~residence~~ structures and existing agricultural structures are not included in the square footage computations ~~below noted in this section; unless, development/redevelopment activity at the site triggers stormwater management policy as described in the Jefferson County Stormwater Management Ordinance.~~

1. Building(s), both new and additions to existing, where new structures or new additions to structures located on the parcel total less than 5,000 square feet gross floor area (GFA) on any site shall process administratively.
2. Building(s), both new and additions to existing, where all new structures or new additions to structures located on the parcel total more than 5,000 and less than 250,000 square feet gross floor area (GFA) on any site shall:
 - Process a concept plan with a public workshop and all remaining site plan review processes shall be administratively approved.
 - In the event that any condition(s) placed upon a site plan during the concept plan public workshop that cannot be addressed or resolved administratively, such condition(s) placed upon the concept plan at the public workshop shall return to the Planning Commission for resolution.

3. Building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater. Section 20.203 Sub-Section (2) does not apply to this provision;
4. Apartment or multi-family development.
 - If apartment or multi-family development project proposes 10 units or more, applicant shall process a concept plan with a public workshop and all remaining site plan review processes shall be administratively approved.
 - In the event that any condition(s) placed upon a site plan during the concept plan public workshop that cannot be addressed or resolved administratively, such condition(s) placed upon the concept plan at the public workshop shall return to the Planning Commission for resolution.
5. New Wireless Telecommunications Facilities (Cell Towers) shall:
 - Process a concept plan with a public workshop in accordance with Article 4B of the Jefferson County Zoning and Land development Ordinance and all remaining site plan review processes shall be administratively approved.
6. Campgrounds (see Appendix B, Division 8) shall process as a Minor Site Development; except that:
 - Campgrounds proposing more than 10 sites shall process a concept plan with a public workshop in accordance with Article 4B of the Jefferson County Zoning and Land Development Ordinance and all remaining site plan review processes shall be administratively approved.

B. Site Plan Classifications

All Minor Site Developments shall be processed utilizing one of the following Site Plan Classifications. Unless explicitly stated within this Section, all requirements of these Regulations apply to each of the classifications listed below, including the requirements of Appendix A and Appendix B. Minor Site Development ~~may require~~ Stormwater Management Plans and stormwater management activities per the Jefferson County Stormwater Management Ordinance, ~~as identified in A, B, C, and D within this Section.~~

~~Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this section; unless, development/redevelopment activity at the site triggers stormwater management policy as described in the Jefferson County Stormwater Management Ordinance.~~

1. No Site Plan or Stormwater Management Plan Required.

No site plan is required for additions to existing structures or structures ancillary to existing uses on a property, when:

1. The footprint of the addition or the new structure is less than 250-1,200 square feet; and
2. No additional parking is required per Zoning Ordinance standards; and
3. The disturbed area is no more than 5,000-3000 square feet.

2. Limited Site Plan and Stormwater Management Plan Addressing Quantity Only Required.

A site plan limited to basic information needed to address (a) erosion and sediment control, (b) parking requirements for the expanded use, (c) stormwater management (quantity and quality) for the additional impervious area only, (d) handicapped access to the existing and proposed structures and (e) compliance with the Zoning Ordinance, may be used on sites where the structure is:

- 4.1. An addition to an existing structure, or, ancillary to an existing use; and
- 5.2. The footprint does not exceed ~~1600~~ 3,000 square feet or 35% of the existing structure, whichever is smaller.
- 6.3. For a home occupation or cottage industry, the limited site plan standards are applicable if a site plan is required pursuant to the Zoning Ordinance.²

3. Full Site Plan-Required.

Any development which does not meet all of the criteria for a limited ~~or rural~~ site plan shall meet all the requirements of these Regulations ~~and the appendices~~.

C. Site Plan Exception.

~~For site plans located in the rural zone, Rural Site Plan Required Standards may be utilized.⁴ A primary function of the Rural/Agricultural zoning district is to preserve the rural character of the County and the agricultural community. The definition of agricultural allows a number of types of non-residential farming operations to occur in the Rural District. This creates a need to define the manner in which these uses can be permitted in the Rural/Agricultural zone without negatively impacting the rural character area of the land on which it is proposed to be located. While these uses are defined as agricultural, they may have an impact on the farm uses and neighborhoods in which they are located. For this reason,~~

~~All non-residential agricultural uses or principal permitted uses in the Rural District/Zone that require the construction of a structure other than a residence or other than a structure for private agricultural use not intended for public use may utilize this e-Rural-Site Plan Exception Standards. All Minor Site Developments in the Rural District shall be classified per Section 20.203.B.⁴ and Such Rural Site Plan Standards shall ~~shall meet all the requirements of the Site Plan Classification except for the following:~~ follow the submittal and review requirements of a minor site plan with the following exceptions to the submission. The following provisions apply:~~

- 7.1. Parking Areas and Access Drives. Parking areas and access drive aisles (except for the concrete apron) are not required to be asphalt or concrete paved but shall have at least 6" of stone/gravel and be graded in a manner that ensures water will not pool on the primary parking area. No curbs and gutters will be required provided the development conforms to the requirement of Section 2.

If the development is of a size or nature that requires the provision of handicapped parking spaces, such spaces shall be paved with asphalt or concrete and a similar paved surface accessing the front of the structure from the parking pad shall be required as detailed in Appendix B, Sec. 2.5(G), *Off Street Parking Standards*.

- 8.2. Rural Storm Drainage and Management. Development which is proposed in the Rural/Agricultural zoning district which wishes to take advantage of this Exception e-Rural Site Plan Standards ~~are~~ is required to utilize Low Impact Development (LID) techniques and provide stormwater management (quantity and quality) for the additional impervious area

~~only to minimize the impact of impervious surfaces and retain the rural character of the area. These techniques are identified in the Jefferson County Stormwater Management Ordinance. Total square footage will be applied and calculated for the non-residential structure(s) that will be open for public use.~~

Where, in the judgment of staff, a proposal does not meet the intent of this ~~Exception~~ ~~rural site plan provision~~ or the intent of these Regulations, ~~this exception may not be utilized~~ ~~proposal shall be classified as a limited or full site plan~~. The reason for such a determination shall be provided to the applicant in writing. The determination may be appealed to the Planning Commission for consideration and classification.

Sec. 20.204 Major Site Development

Major site developments are those proposals that require the development of new infrastructure or the extension of off-tract infrastructure or where the proposal does not meet the definition of a minor site development. This covers the development of one or more parcels of land where there is no subdivision into separate lots. If the development requires easements for drainage or other purposes, private roads, or parking, and access to public roads is involved that serve one or more land uses, it is a site development. Excluded are developments for the purpose of extraction or harvesting of resources and for roads on agricultural land for the purpose of conducting the agricultural operation. Re-subdivision or adjustments of lot lines are also excluded. Major site development shall adhere to ~~F~~full ~~S~~site ~~P~~plan requirements in all proposals.³

Division 20.300 General Review Standards

Two types of review occur when a subdivision plat or site plan is proposed, a zoning review and a review of the actual subdivision plat or site plan. Section 20.301 covers the zoning review. Sections 20.302 and 20.303 cover the subdivision plat and site plan review.

Sec. 20.301 Zoning Review

- A. **General.** A zoning review shall be conducted concurrently with the review of an application for a subdivision plat or site plan. A review shall be provided at each phase of the process. Subdivision plats or site plans that do not meet the zoning standards shall not be approved. Conversely, no subdivision plat shall be denied on the basis of zoning if the Zoning Administrator has decided (or the Board of Zoning Appeals has decided on appeal) that the proposed development complies with the Zoning Ordinance.
- B. **Responsibility.** The zoning review is a function of Staff under provisions of the Zoning Ordinance. Any appeal of Staff's decision shall be heard by the Board of Zoning Appeals.
- C. **Report to Planning Commission.** Staff shall submit a report to the Planning Commission along with the agenda for each meeting at which a subdivision plat or site plan is to be discussed. The report shall contain a final decision as to whether the subdivision plat or site plan meets the standards of the Zoning Ordinance.

Sec. 20.302 Subdivision Plat General Review Standards⁴

- A. **General.** This section sets forth the design review criteria and the body charged with making the determination. Stormwater Management Plans may be required for inclusion based upon applicability standards defined in the Jefferson County Stormwater Management Ordinance. In conducting a review, the staff shall make a report and recommendations on design, and the Planning Commission shall make a decision, based on the following:

326. The following table listing waivers approved by the Jefferson County Planning Commission and variances approved by the Jefferson County Board of Zoning Appeals shall be placed on the Preliminary Plat, Site Plan or Final Plat cover sheet, as applicable. If no waivers or variances are granted, then a statement of “None granted,” shall be placed in the table:

Jefferson County – Complete List of Waivers/Variances (Table 1.2-2)			
Ordinance	Section of Ordinance	Description of Waiver or Variance	Date Granted

33. The Preliminary Plat and/or Site Plan shall be sealed, signed and dated by the Engineer of Record and the Surveyor of Record, as may be applicable, in accordance with state law.

B. Plat/Plan Changes.

In the event conditions are encountered during construction which make the approved Preliminary Plat and/or Site Plan impractical or excessively costly, field changes may be proposed in writing, by the developer through the developer’s design consultant, to the County Engineer. The County Engineer will review the proposed changes to determine whether or not the change is major and subject to Planning Commission action. In either case, the Engineer and staff will determine the technical acceptability of the proposed changes. Where said changes are minor, technically acceptable and in accord with the Ordinances the Engineer and staff may grant a field change. Modified plans, with changes shown as “redline revisions,” shall be signed and sealed by the engineer or surveyor of record, as applicable, and filed with the Planning Commission office. If the redline would affect the Final Plat, refer to Section 24.202A regarding the Plat Amendment process.

Sec. 1.4 Final Plat⁴

The Final Plat shall be drawn or reproduced on Mylar for recordation. The plat shall be drawn at a scale of one inch (1") equals one hundred feet (100') or larger and shall be eighteen inches (18") by twenty-four (24") in size. More than one sheet may be used provided all sheets are indexed on the cover sheet.

The Final Plat is the plat for recordation of the lots created by the subdivision. The Final Plat shall show or be accompanied by:

1. A ½ inch border along all sides except the left side (an 18" side) which shall have a 1-3/4 inch border for binding; however, a ½" border can be used for the cover page. All text and symbols shall be a minimum of 1/10 of an inch tall on paper.
2. A title block in the lower right corner to include:
 - a. The Official name of the subdivision by which it is to be recorded.
 - b. The names: “Jefferson County, West Virginia.”

- c. Tax District, Tax Map Number and Parcel Number.
 - d. Deed book number and page number.
 - e. Property Owner's name, address and telephone number.
 - f. Developer's name, address and telephone number.
 - g. Engineer and Surveyor of record's name, address and telephone number.
 - h. Sheet index on cover sheet if more than one sheet.
 - i. State the year of the Zoning Ordinance and Subdivision Regulations and the amendment date that applies to the project.
3. Tic Marks/SPCS WV North NAD83
 4. North arrow, graphic scale and date.
 - ~~54.~~ A small scale inset map showing the location of the subdivision in the County. The map shall be 1" = 2,000' scale, or other scale approved by the County Engineer.
 - ~~65.~~ If applicable, a small scale inset map showing the general location of the subdivision section relative to other sections of the same subdivision.
 - ~~76.~~ For the Final Plat, the subdivision perimeter boundary described by bearings and distances. The perimeter boundary shall be established by a network of traverse control having a relative error of closure of 1:7500 or better and a note to this effect shall be placed on the plat. All perimeter corners shall be permanently marked and in place.

If the survey is based on global positioning system measurements, the relative positional accuracy of the survey measurements shall not be less than that which is specified above.
 - ~~8.~~ ~~Lot boundary lines drawn to scale and dimensioned.~~
 - ~~89.~~ Lot boundary lines drawn to scale, dimensioned, and described by bearings and distances. Lot boundaries shall be established by a network of traverse control having a relative error of closure of 1:7500 or better.
 - ~~940.~~ Show the location and description lot markers and permanent concrete control monuments. The lot markers and permanent concrete control monuments shall be in accordance with state law. Where possible, permanent concrete monuments should be intervisible; at least 750 feet apart; away from future roadwork; and at least 2 per section or block.
 - ~~104.~~ Show and label the building setback lines ~~and note the building setbacks~~ on the plat.
 - ~~112.~~ A number to identify each lot and numbered in logical order.
 - ~~123.~~ A key to all symbols. (Identify monuments and markers according to type and whether "found", "set", or "to be set").
 - ~~134.~~ Existing easements and right-of-ways accurately identified, located, dimensioned and drawn to scale. Provide reference to deed book and page and/or plat book and page whichever applies.
 - ~~145.~~ Proposed easements and right-of-ways (roads, sidewalks, drainage, utilities, etc.)

identified, located, dimensioned and drawn to scale. Roads shall be named. Road names shall be approved by the Jefferson County GIS/Addressing Office.

156. Future easements and right-of-ways that may serve at a future date to connect with adjoining properties.
167. Identification of all current adjoining properties (including properties across any road, right-of-way, or easement) by ownership, tax district, tax map number, parcel number, and deed book and page reference. Departure lines for adjoining properties shall be shown on the plat.
178. Show and identify reservations of land for public or semi-public use, if required.
189. Label and show existing adjoining roads including the right-of-ways widths, road names and route numbers.
1920. Delineate the approximate 100-Year Floodplain and state flood plain zone and firm map number. Show any delineated wetlands that are located on or adjacent to the subdivision or site plan and reference the source of wetland degradation.
204. Area of each lot to the nearest 0.01 acre or to the nearest 100 square feet.
212. Curve data – radius, delta, arc, tangent, chord and chord bearing.
223. A computation of the total tract area and a computation of the land area included in the right-of-ways.
234. Descriptive lines ~~inside the tract boundary~~ existing:
 - Tract boundary - heavy dashed and two dotted lines
 - ~~Lot boundaries – medium solid lines~~
 - Property lines of adjacent tracts - light dashed and two dotted lines
 - Right-of-ways - ~~heavy-light~~ solid lines and two dash lines
 - Restriction lines - ~~medium-light~~ dashed lines
 - Easements and other reserved areas - ~~medium-light~~ dotted lines

Descriptive lines are to be clearly defined in the legend.
2524. Descriptive lines ~~outside the tract boundary~~ proposed:
 - ~~Property lines of adjacent tracts – medium dashed and two dotted lines~~
 - Lot boundaries - ~~light-heavy~~ solid lines
 - Right-of-ways - ~~medium-heavy~~ solid lines and two dash lines
 - Restriction lines - ~~light-heavy~~ dashed lines
 - Easements and other reserved areas - ~~light-heavy~~ dotted lines

Descriptive lines are to be clearly defined in the legend.

(NOTE: Descriptive lines outside the tract boundary are useful for purposes of tract location and orientation. However, such outside lines are not within the scope of the subdivision being platted and should not be given dimensions which might confuse existing descriptions on record).
256. A notation that states:

“The Seller of any lot within this subdivision shall provide the Buyer

with a reasonable opportunity, before settlement, to determine that the lot is suitable for the construction of a septic disposal system. If, before settlement, the Buyer is denied a septic system construction permit by the Jefferson County Health Department, the Buyer may refuse to purchase the lot without penalty.”

~~267.~~ For major subdivisions, a Statement of Acceptance placed on the plat cover sheet signed and dated by the developer/subdivider. The Statement shall read:

“The developer, in signing this plat, agrees to abide by all conditions, terms and specifications provided hereon; and to complete all the improvements required by the preliminary plat.”

For minor subdivisions, a Statement of Acceptance placed on the plat cover sheet, signed and dated by the developer/subdivider/owner. The Statement shall read:

“The developer, in signing this plat, agrees to abide by all conditions, terms and specifications provided hereon.”

~~278.~~ Certification of the Surveyor of Record as to the preparation and accuracy of the plat, along with the Surveyor of Record’s professional seal and signature.

~~289.~~ Note on the plat, the West Virginia Division of Highways (WV DOH) entrance permit number and provide a copy of the approved entrance permit. If a previously approved WV DOH permit exists, provide a copy of the updated WV DOH approval letter and the existing permit and state on the cover sheet the existing permit number and the date of the approval letter.

~~2930.~~ Note on the plat, the West Virginia Bureau of Health and/or Jefferson County Health Department permit numbers for water/well and septic/sanitary sewer systems; and provide a copy of the approved plans and permits.

~~3034.~~ Such other conditions, certificates, affidavits, endorsements, dedications or agreements as may be deemed necessary by the Planning Commission.

~~312.~~ A final list of restrictive covenants and/or the declaration in accordance with the West Virginia Uniform Common Interest Ownership Act shall be submitted with the Final Plat. However, they shall not become part of the Final Plat.

~~323.~~ Signature block placed on the plat cover sheet for the signature of the County Planner and the affixing of the Planning Commission’s seal.

~~334.~~ Provide a list of waivers on the Final Plat cover sheet in accordance with Appendix A, Section ~~1.2.A. 34~~1.3.A.32.

~~35.~~ In the Rural District, all plats shall provide a density calculation and a notation that states one of the following statements:

~~A. “This subdivision, together with past subdivision of this property, has utilized all development potential or lots to which the _____ acre parent parcel is entitled under the terms of the Jefferson County Subdivision Regulations. No additional lots will be permitted subsequent to the approval of this plat of subdivision unless or until such time as the property may be~~

~~rezoned or amendments to the County development regulations may permit additional subdivision."~~

~~B.A. "To date, this subdivision, together with all past subdivisions of this property, has utilized _____ development rights to which the _____ acre parent parcel is entitled to _____ under the terms of the Jefferson County Subdivision Regulations. _____ additional lots will be permitted subsequent to the approval of this plat of subdivision unless or until such time as the property may be rezoned or amendments to the County development regulations may permit additional subdivision."~~

- ~~346. Where the adjoining State Road has a right-of-way of less than 50 feet wide, either a fee simple dedication or a road improvement easement will be provided which is a minimum of 25 feet wide measured from the existing centerline of the State road right-of-way.~~
- ~~35. A note shall be added to the plat detailing the road and common land maintenance agreement for the proposed subdivision. Such note shall state that the road and common land is privately held and shall detail the manner in which the cost and expense of maintaining the private road easement, including snow removal, shall be shared among the lot owners, and shall note that this is not a public responsibility nor the responsibility of Jefferson County WV.~~
- ~~36. Please add the following note to Minor Plats: The Jefferson County E911 Addressing Ordinance states that any easement or right-of-way legally accessed by 3 or more addressable structures (not lots) shall be named. The GIS/Addressing Office shall coordinate and oversee the naming of the common easement or right-of-way upon construction of the 3rd addressable structure that accesses the previously unnamed easement or right-of-way.~~
- ~~37. Add a note that states: "All residential and non-residential building lots shall have stabilized construction entrances installed prior to beginning construction on the lot.~~

Sec. 1.5 Recordation of Final Plats for Minor or Major Subdivisions

The applicant shall ~~have 180 days after approval to file and~~ record the Final Plat in accordance with W.Va. Code § 39-1-13 and Section 24.104 of these Regulations for Minor Subdivisions and 24.118 of these Regulations for Major Subdivisions. The approval shall be become void if the time frames in these Sections are not complied with.

~~it is not filed within the 180-day period. The following documents shall be submitted to the Office of Planning and Zoning:~~

- ~~1. One (1) Mylar copy of the Final Plat suitable for recordation and acceptable to the Clerk of Jefferson County;~~
- ~~2. Three (3) paper copies of the Final Plat;~~
- ~~3. One (1) digital copy of the Final Plat compatible with the Jefferson County GIS, as specified by the Jefferson County GIS Office requirements; and~~
- ~~4. One (1) digital and one (1) paper copy of any deed restrictions/covenants in a~~

~~form suitable to the Department.~~

~~(For recordation requirements for Minor Subdivision Final Plats, see Section 24.104(E);
Recordation.)~~

Sec. 1.6 Bonding

All bonding and securities for such bonding (bonding shall be a minimum amount of 115% of the cost of all improvements) shall be submitted and approved during this time period. Satisfactory bonding and surety shall be submitted, approved and in place prior to recordation of the final plat. Bonding shall be provided in accordance with the County Commission of Jefferson County's bonding policy.

The developer/subdivider shall submit an itemized estimate of the costs for completing all improvements shown on the Preliminary Plat/Plan and/or Site Plan. The estimate shall be prepared by the engineer of record. The estimate shall be in a format specified by the Chief County Engineer.

For additional site work required due to plat or plan changes approved under Appendix A, Section 1.32.B, *Plat/Plan Changes*, additional bonding shall be provided as determined by the County Engineer.

DRAFT -- 10/12/2016

Appendix B – Engineering Standards

Division 1.0 General Engineering Requirements

Sec. 1.1 Minimum Engineering Requirements & Standards

These requirements and standards are considered minimums and are not intended to discourage the use of higher standards by developers and subdividers who wish to achieve more desirable results. The Planning Commission may specify additional requirements where, owing to unique or unusual characteristics, the purposes of these Regulations can be better served.

These requirements and standards also apply to Condominium and Non-residential Subdivision and/or site development unless otherwise superseded by requirements and standards specific to those types of development.⁴

Sec. 1.2 Surveys

- A. The Preliminary Plat and Final Plat for a subdivision shall be prepared and certified as to preparation and accuracy by a West Virginia licensed surveyor or engineer.
- B. Permanent monuments shall be of the type specified by the Rules and Regulations of the West Virginia Board of Professional Surveyors; W.Va. Code Sections 23-5-7 and 3-1-17; or a greater standard as specified by the County Engineer/staff.
- C. All permanent lot corner markers not susceptible to destruction by subdivision improvements shall be in place prior to the conveyance of individual lots. All other lot corners shall be in place prior to the final release of the construction bond. Lot corners will consist of 36" long by 5/8" diameter sections of steel rod suitable for magnetic detection; and/or shall be in accordance with state law. Certification of such shall be provided by a West Virginia licensed land surveyor.
- D. Bearings (or Azimuths) shall be dimensioned to the nearest 0.5 minute, distances to the nearest .01 foot and areas to the nearest .01 acre or 100 square feet.
- E. New sections of any subdivision on record at the time these Regulations was adopted may use directional references that align with the directional references of the recorded subdivision.
- F. Any subdivision resulting in a residue of greater than 25 acres is not required to have a survey of the entire existing boundary of the residue. If the entirety of the residue cannot be shown at the scale of the plat, provide an inset map that depicts the subdivision within the existing boundary at a scale acceptable to staff.

Sec. 1.3 Construction Plans and Specifications

- A. All construction plans and specifications submitted shall be acceptable to the County Engineer and shall be used to evaluate progress during construction. The Chief County Engineer shall have the authority to establish standard construction details and specifications.
- B. Changes or revisions in construction plans and specifications shall not be made unless first approved by the County Engineer and/or other agencies, as applicable.
Minor changes may be submitted as marked-up "redline revisions" to the construction

10/03/2017

The following comment was recieved from Mike Shepp on October 3, 2017

D. Automatic Extension.

1. All requirements, for the vesting of property rights contained in an ordinance enacted pursuant to WV Code Section 8A-4-2 that require the performance of any action within a certain time period for any subdivision or land development plan or plat valid under West Virginia law and outstanding as of January 1, 2010, shall be extended as provided in a resolution passed by the County Commission until July 1, 2012, or longer as agreed to by the municipality, county commission or planning commission. The provisions of this subsection also apply to any requirement that a use authorized pursuant to a special exception, special use permit, conditional use permit or other agreement or zoning action be terminated or ended by a certain date or within a certain number of years.
2. Any subdivision or land development plan or plat, whether recorded or not yet recorded, valid under West Virginia law and outstanding as of January 1, 2010, shall remain valid as provided in a resolution passed by the County Commission until July 1, 2012, or such later date provided for by the terms of the Planning Commission or County Commission's local ordinance or for a longer period as agreed to by the Planning Commission or County Commission. Any other plan or permit associated with the subdivision or land development plan or plat shall also be extended for the same time period. *Provided, that the land development plan or plat has received at least preliminary approval by the Planning Commission or County Commission by March 1, 2010.*

Sec. 20.106 Adjustment of Lot Boundaries (Merger Plats)

Elimination of a lot line between two or more contiguous lots under the same ownership may process via a Deed only.

All other adjustments of boundary lines require submission and approval of a Merger Plat and shall be subject to the requirements of Appendix A Section 1.4 of these Regulations. Subsections 1 - 9, 12, 15, 16, 17, 27, 28 and 33 and shall be prepared on either a Legal Size sheet or an 18" x 24" sheet. Such b

Boundary line adjustments shall only require field surveying of any newly created line. If the entirety of both lots cannot be shown at the scale of the plat, provide an inset map that depicts the total boundary of both parcels at a scale acceptable to staff. The balance of the lots being impacted but may reflect existing surveys or deeds which may be shown on an inset map, for the balance of the lots being impacted, provided that such Source documentation for the unsurveyed lines shall be is noted on the plat; provided, however, that any provisions of the WV Code shall prevail. Any newly created line shall be referenced by a tie line into an existing monument stated in the deed of reference that is being used. The adjustment of boundary lines or the consolidation of lots or portions of lots for the exclusive purpose of increasing land area or adjusting shape shall be approved, provided that the following criteria are met:

- A. That access to all lots included on this plat is not adversely affected and is depicted on the plat;
- B. , provided That no new lot is created;
- C. That , and the remaining area of the lot from which the land is taken, satisfies requirements for minimum lot size in the zone district in which it is located and otherwise satisfies the Zoning Ordinance is buildable; however, . . . Lot boundary adjustments between non-conforming lots shall be exempt from the minimum lot size criteria unless the lot(s) from which the land is taken is (are) rendered unbuildable. If the entirety of both lots cannot be shown at the scale of the plat, provide an inset map that depicts the total boundary of both parcels at a scale acceptable to staff.

D.K
 merge plats
 Is it intent to have PC stamp
 original parent tracts or parcel.
 parent

Envision Jefferson 2035 Comprehensive Plan Implementation Status

The following is an excerpt of the various recommendations of the *Envision Jefferson 2035 Comprehensive Plan* which required action by the Planning Commission or County Commission in order to implement the recommendation.

- Completed items are highlighted in light green with status noted.
- Items included on work plan, in progress, partially completed, or otherwise prioritized are highlighted in light orange.
- Actionable items which have not been acted on are highlighted in light yellow.
- Non-actionable items are in white.

Urban Level Development Recommendations (Goal 1)		STATUS August 2017
1.	Recognize the existing vested rights, development entitlements, and permitted density levels on properties in Jefferson County.	
	a. No property's zoning status will be changed as part of this Plan.	
2.	Recognize that the County Commission has the authority to make land use decisions including Zoning Map Amendments based upon the finding of consistency with the Future Land Use Guide and the recommendations of this Plan; the County Commission may determine that petitions or decisions for zoning map amendments are consistent with the Comprehensive Plan if any of the following conditions are met after the entire Plan is taken into consideration:	
	a. Economic Well-Being of the County; or	
	b. Error or Under Scrutinized Property on the Future Land Use Guide; or	
	c. Change in Neighborhood; or	
	d. Any Other Circumstance that the Governing Body determines should have been considered when drafting the Future Land Use Guide; and/or	
	e. Environmental impacts are considered.	
3.	Identify opportunities for small area plans and involve key stakeholders.	
4.	In coordination with the Jefferson County Development Authority, utility providers, and other agencies, extend natural gas services and alternative energy sources into Jefferson County and encourage the extension of these services into new subdivisions to provide access to alternatives for heating and cooking uses.	JCDA is working on this effort.
5.	Create urban level land uses within the municipalities, UGBs, PGAs, or Villages through rezoning that is consistent with the Plan recommendations.	Rezoning requests initiated by property owners in these locations have been approved
	a. Direct new urban level residential developments to locate in preferred areas within the municipalities, UGBs, PGAs, or Villages where water and sewer services are available.	
	b. Reduce application fees for urban level development located within the areas desired for urban future growth.	
	c. Establish a greater variety of zoning district options (in commercial, residential, and mixed-use zoning categories) that adhere to predictability of land use options and outcomes based on the Plan recommendations.	Additional commercial zoning categories were approved during the drafting of the Comp Plan (5/1/14) – residential not yet proposed
	d. Consider the utilization of alternatives to use-separated (Euclidean)	

	zoning within the UGB and PGA, such as the SmartCode adopted by the City of Ranson or performance based zoning to achieve the desired land used goals.	
	e. Update the County's zoning regulations in a way that balances flexibility of use for property owners and developers while preserving the quality of life for residents.	ZTA 16-01 broadened cluster options toward this end (3/16/17)
	f. Streamline development review and permitting policies by establishing a two tiered system that would allow greater power for staff review for projects of a certain size or smaller scale, etc.	Various Subdivision Regulations text amendments have broadened staff review as permitted by state law (most recent 1/1/16)
6.	Require new urban level development to provide opportunities for multi-modal accessibility and to occur in a manner that enables connectivity to existing street and infrastructure networks or for future connectivity as development is extended to municipalities, UGBs, PGAs, or Villages.	
	a. Create and implement the results of small area studies that would address the potential provision of infrastructure, accessibility, place making, and community facilities.	
	b. Require viable integration of multi-modal accessibility to facilities as part of new development plans.	
	c. In coordination with the West Virginia Division of Highways, identify key corridors where publicly owned roadways might be beneficial to the overall development of the County.	
	d. Coordinate with existing property owners/HOA's to extend existing roadway corridors when possible to connect into adjoining neighborhoods or new development. At a minimum, this may include pedestrian, non-motorized vehicle, and/or emergency access ways.	
7.	Encourage the location of new infrastructure (water, sewer, utilities) within municipalities, UGBs, PGAs, or Villages.	
	a. Direct new development to be contained in municipalities, UGBs, PGAs, Villages, and areas zoned for Residential Growth (RG), where public water and sewer will be available.	2015 Comp Plan provides this direction
	b. In designating where public utilities are to be delivered, enable public utility providers the ability to right size the infrastructure needed as development occurs, while considering the ability of current and future customer base to assume the debt for the infrastructure.	
	c. Encourage that new investment by public entities be focused toward the municipal areas, including the UGBs and the PGAs.	2015 Comp Plan provides this direction
8.	Encourage the location of new community public facilities (such as schools, libraries, parks) within Municipalities, UGBs, PGAs, or Villages.	2015 Comp Plan provides this direction
	a. Encourage the clustering of development so that the developer retains their density while dedicating community facilities.	
	b. Locate and integrate new neighborhoods so that existing community centers, schools, parks, or libraries serve the needs of the new development.	
	c. Whenever possible, construct community facilities in areas served by public water and/or sewer.	

9.	Develop incentives for the protection of historic, cultural and/or natural resources during site development.	Part of cluster provisions approved effective 3/16/17
	a. Allow the applicant the ability to achieve permitted density and/or intensity on a site while allowing for the protection of the desired resource.	
	b. Allow opportunities for development to take place at a higher density/intensity than might be otherwise be possible to offset the cost associated with protection of these resources.	Part of cluster provisions approved effective 3/16/17
10.	Encourage the adaptive reuse of existing buildings and previously used sites within Jefferson County in context with their surroundings, paying particular attention to brownfield and greyfield sites.	ZTA16-02 in progress
	a. Identify specific sites and structures where adaptive reuse could occur that will assist with the redevelopment of brownfields and greyfield areas where the existing building(s) can be rehabilitated. (using sites from <i>Ranson Renewed</i> as an example)	
	b. Identify and obtain funding mechanisms to remediate sites and encourage the utilization of these areas.	
	c. Collaborate with the development community and interested environmental associations that can assist the County in amending its development provisions to encourage universal design, energy efficiency, and enhanced on- or off-site storm water retention.	New Stormwater Management Ordinance approved 10/31/13 addresses Stormwater portion of this goal
11.	Reduce stormwater runoff, nutrients, sediment, and waste materials that reach the Potomac and Shenandoah Rivers, as well as other water bodies through development oversight provisions.	New Stormwater Mgt Ordinance was approved 10/31/13
	a. Amend the parking requirements to support walkable and/or transit oriented communities per the land development standards based on site design and site amenities.	
	b. Allow developers the option to provide fewer than the minimum required parking spaces if it can be determined that sufficient mitigation measures are in place.	
12.	Development on US 340 South should limit any land uses of a higher intensity than current zoning allows to the area between the existing US 340 right-of-way and the proposed preferred alignment right-of-way.	2015 Comp Plan provides this direction
	a. The area to the east of the preferred alignment is to remain zoned Rural, except the intersection of Myerstown Road and the proposed preferred alignment.	2015 Comp Plan provides this direction
	b. Once a Record of Decision is published by the West Virginia Division of Highways, within 18 months, the Departments of Planning and Zoning should begin an updated land use plan for this area to reflect the commitment on the part of the state to construct the new four lane road.	Pending Record of Decision
	c. Require that confirmation from public service providers be submitted, as a part of the application, stating that public water and sewer infrastructure can be provided to the proposed property to be rezoned (including cost), before any zoning map amendments occur in this area.	
13.	Develop design criteria and access management standards for the WV 45 corridor west of the Shepherdstown Preferred Growth Area and within the	County Commission requested that PC

	Shepherdstown Growth Management Boundary to the Jefferson/Berkeley County line.	make this a priority project on 7/20/17 – will require DOH input and design elements
	a. Ensure that any new development or redevelopment along this corridor occur in a manner that recognizes and enhances the gateway aspect of this corridor.	
	b. Require that an additional setback from the road right-of-way be set aside to allow for a roadway widening improvement easement, a pedestrian easement to include a hard surface trail, a landscaping strip wide enough to support large canopy trees, and the subsequent start of the development. This commitment of land shall not affect the overall permitted density and may require adjustments elsewhere in the development plan. This easement area shall be required whether or not the land is conveyed to a public agency.	
	c. Require that developments be configured to eliminate lots having individual access onto WV 45. Lots shall use common access easements or rights-of-way to gain access to the state right-of-way.	Access management will require DOH input and coordination
14.	Require all commercial/industrial zoning map amendment requests to utilize new zoning categories adopted on June 1, 2014 (or later) and discourage the use of the existing Residential-Light Industrial-Commercial (R-LI-C) District as a zoning category for zoning map amendment requests.	
	a. Encourage any development in a zone that permits mixed use to be developed according to the Mixed Residential/Commercial or Mixed Office/Commercial ratios found in the land use category recommended by this Plan, unless otherwise provided in the Zoning Ordinance.	
15.	Develop new non-rural residential zoning categories in line with the residential land use categories recommended by this Plan and require that all non-rural residential zoning map amendment requests utilize the new categories, after the creation of such new residential zoning districts.	
16.	Collaborate with state legislators to amend WV Code 8A to allow conditions to be imposed meeting specified requirements on proposed zoning map amendments.	
	a. Encourage the state legislature to include adaptive reuse of historic structures in State Building Code.	

Rural Land Use Planning Recommendations (Goal 2)		
1.	Recognize the rights and viability of existing rural residential neighborhoods.	
	a. Balance artisan, home occupation, and cottage industry rights with the maintenance of the character of rural neighborhoods by considering the size and scope of all activities within designated rural neighborhoods.	Clarification of public notice process approved 3/16/17
2.	Allow and promote a greater range of agricultural and/or artisan uses within the rural areas on existing farmlands to incentivize the expansion of the rural economy within Jefferson County.	Amendments related to rural reception facilities, campgrounds, accessory dwelling units and nature centers were approved in 2014, 2015 & 2016
	a. Collaborate with key stakeholders in the agricultural community to update the County's zoning and land use recommendations to broaden the range of permitted complementary and accessory on-farm uses.	
	b. Identify types of farm activities that may be successful based on the	

	soils on individual properties and the proximity of Jefferson County to relevant markets.	
3.	Revise existing Jefferson County land use requirements and site plan standards to reduce regulatory barriers related to agricultural and/or artisan operations.	Revisions to rural site plan standards including in proposed subdivision regulation amendment in progress in 2017
	a. Revise local regulations to balance production and marketing of artisan or agricultural products on-site, considering the individual use, size, and scale of the operation as appropriate to the property site.	
	b. Waive or modify the roads, parking, and stormwater regulations on farms for on-site production and marketing enterprises, to the extent possible.	Revisions to rural site plan standards including in proposed subdivision regulation amendment in progress in 2017
4.	Protect the viability of agricultural lands and wildlife corridors by encouraging the utilization of cluster subdivisions as the preferred form of residential development within rural areas.	Revised cluster provisions effective 3/16/17 meet this goal
	a. Allow residential development outside of the Urban Growth Boundaries or Preferred Growth Areas to develop only as rural cluster subdivisions, in accordance with existing land use rights.	Revised cluster provisions effective 3/16/17 enable implementation of this goal
	b. Amend the Zoning Ordinance to eliminate the Land Evaluation Site Assessment (LESA) system and to modify the Conditional Use Permit (CUP) process in the Rural Zoning District, which would be used for compatible non-residential development only.	Approved effective 3/16/17 for residential and nonresidential
	c. Amend the Zoning Ordinance density provisions related to Cluster Developments to utilize a higher density such as one unit per five acres, with provisions for a maximum lot size and a mandatory retention of a set percentage of the original tract in agricultural uses, open space, and/or forest/woods, instead of allowing for rural residential development to occur using the LESA/CUP system.	Approved effective 3/16/17
	d. Amend the Subdivision Regulations to permit a Cluster Development of any size to process as a minor subdivision, provided that the subdivision standards shall apply.	
	e. Encourage the creation of subdivisions that incorporate working farmland or community gardens in Development Supported Agriculture programs.	
	f. Consider amending the provision in the Jefferson County Zoning and Land Development Ordinance related to the transfer of land between parent and child to include other family members, such as sibling to sibling.	Approved effective 3/16/17
5.	Encourage a variety of mechanisms to protect existing farmlands, key farm buildings, and scenic corridors within Jefferson County.	
	a. Identify funding sources for farmland protection which could come from local, state and federal sources in addition to fundraising opportunities.	JCDA Farmland Protection Board oversees this effort
6.	Involve members of the agricultural community in planning and land use decisions related to rural lands within Jefferson County.	Planning Commission includes representatives of farming community; roundtable discussions are held on various
	a. Establish collaborative and interactive mechanisms for the Planning and Zoning staff and economic development officials to coordinate with the agriculture community that will enable the farming community's	

	input in the planning and zoning process.	amendments to provide opportunities for input
7.	Explore policies in concert with the Public Service District (PSD) and municipalities regarding rural water and sewer infrastructure.	County Commission is leading the effort to explore the more efficient provision of utilities in the unincorporated areas of the County
	a. Explore legislative options that would allow equitable distribution of cost sharing with entire development community along with rate paying base (i.e. Capital Improvement Fees).	

Village Recommendations (Goal 3)		
1.	Create village plans for the redevelopment and expansion of the County's villages through collaboration with key stakeholders.	
	a. Identify opportunities for restoration, rehabilitation and adaptive reuse of structures within village areas.	ZTA16-02 in progress; JCHLC is generally the lead agency on this effort
	b. Identify funding sources for villages to restore historic structures and provide opportunities for projects that would restore the village character to these communities.	
2.	Provide land use tools that will enable expansion of the villages that will establish a continuation of village form, scale, and design, using design guidelines and/or other applicable architectural and planning methods.	
	a. Encourage development and redevelopment of village based businesses, residential developments, small-scale multi-family housing, and applicable community facilities within designated village areas and in potential village expansion areas.	
	b. Proposed commercial structures shall take into account similar architecture in the area or a type of structure that would be appropriate for the area in which it is located. A traditional suburban commercial strip development may or may not be appropriate in the villages and village expansion areas.	
3.	Collaborate with key village stakeholders to implement and create water and sewer improvements, internal interconnections between adjacent commercial properties, area-wide shared stormwater and parking facilities within village centers.	
4.	Identify communities that have a traditional village form but are not designated as villages and assess the ability for village zoning.	
5.	Encourage the state legislature to include adaptive reuses of historic structures in the state code.	

Community Design Recommendations (Goal 4)		
1.	Implement regulations that require development within approved Urban Growth Boundaries that will visibly and structurally integrate with development in the adjacent municipality and that reflects the historic and rural vernacular architecture in the County.	
2.	Encourage developers to build or redevelop structures that meet standards set by regional or national sustainable building organizations using emerging technologies and materials that will lower operating costs.	
	a. Establish incentives for the development or redevelopment of "green" buildings within Jefferson County by streamlining the planning, approval, certification or tax incentives and application processes.	
3.	Encourage the development of new neighborhoods that include green infrastructure standards and best management design principles.	

	a. Incorporate low impact development principles in neighborhood design and site layout in local land use regulations.	New Stormwater Mgt Ordinance was approved 10/31/13; Revisions to rural site plan standards including in proposed subdivision regulation amendment in progress in 2017
	b. Support the use of low impact development principles through the use of density bonuses or by streamlining the planning or approval process.	
4.	Create and implement corridor management requirements to enhance accessibility and the appearance of development along designated Arterial and Collector roadways located within Jefferson County.	
	a. Collaborate with the WVDOH in the creation of corridor management plans for roadways in Jefferson County as improvements are considered.	
	b. Ensure that the design of roadways enhance the gateways and scenic, natural, cultural and historic resources within the corridors.	
	c. Encourage the use of nonstandard design materials that have the appearance of natural materials in future roadway designs (stacked stones, brick or other materials). Such design standards are often associated with “parkways.”	
	d. Adopt an Access Management Ordinance for arterial roads in Jefferson County.	
5.	Create design guidelines for new commercial development and the redevelopment and revitalization of non-residential properties throughout the County.	
	a. Create and utilize design guidelines that would be applicable in identified corridors or node areas of Jefferson County which includes site layout, building design, landscaping, lighting, and ways to integrate a single site into an overall community aesthetic. This could be accomplished with a corridor overlay.	
	b. Develop design guidelines which address the physical form of development, building size, scale, and shape (massing), how the buildings are located and oriented in relationship to one another, and the context of the setting or neighborhood in which the buildings are located.	
	c. Create and encourage the utilization of design guidelines for non-residential development that are reflective of the rural nature and existing historic structures present in Jefferson County.	
6.	Create and utilize design guidelines for mixed use development which includes site layout, building design, landscaping, lighting, and ways to integrate a single site into an overall community aesthetic.	
	a. Provide incentives for high quality mixed use developments within Jefferson County that utilize concepts included in the approved design guidelines as part of their projects.	
7.	Assess the applicability of overlay districts for areas with special land use needs (e.g.: Quarry Redevelopment Areas or Road Corridors).	
8.	Amend the existing sign regulations to reflect community character and design concerns.	High priority Zoning Ordinance text amendment
9.	Encourage the state legislature to include provisions for adaptive reuses of historic structures in the state building code.	

Housing Recommendations (Goal 5)		
1.	Actively support and enable the development of a wide range of affordable, workforce, senior and disabled housing units.	
	a. Consider the creation of a regional community land trust that would act as a steward of newly constructed affordable housing while retaining a partial ownership stake in the underlying lands.	
	b. Collaborate with the development community to identify properties where existing services are in place that might be appropriate to development for age-in-place housing.	
	c. Require developers to consider the incorporation of universal design features and/or ADA compliance in new single and multifamily home construction.	
	d. Encourage the location of such housing within the Urban Growth Boundaries (UGBs), Preferred Growth Areas (PGAs), and Villages	2015 Comp Plan provides this direction
2.	Create incentives (ex: density bonuses) and set a minimum amount of affordable housing requirements for developments to include in their communities.	
3.	Create an advisory committee to review national aging-in-place reports and make recommendations for a coordinated Jefferson County aging-in-place initiative.	
4.	Consider alternatives to addressing affordable housing needs in Jefferson County.	
	a. Evaluate mechanisms to permit an amount of affordable units to be constructed at a reduced impact fee rate, such as scaling residential impact fees on a square footage basis or for apartments and/or manufactured housing.	County Commission approved a reduced impact fee for affordable units and accessory dwelling units (amended 6/2/16)
	b. Develop additional funding sources to mitigate the impact fees, which could serve to encourage affordable housing to be constructed in other areas.	
	c. Collaborate with state legislature to provide methods to allow for affordable housing options while not undermining the impact fee system.	
5.	Allow for greater flexibility in the creation of accessory dwelling units and Tiny Houses.	Amendments approved in 2014 and 2017 address accessory dwelling units in the certain circumstances; Tiny houses are permitted provided they meet State Building Code
	a. Allow detached accessory dwelling units based on lot size or density.	
	b. Promote accessory dwellings in the UGB, PGA, or Village.	
	c. Research and consider the development of appropriate regulations to encourage the Tiny House concept in Jefferson County.	
6.	Coordinate with members of the agricultural community to identify ways to implement recently adopted provisions related to Accessory Agriculture Dwelling Units.	The provision of the Ag Accessory Dwelling unit has been successfully utilized
7.	Encourage the local affordable housing agencies and local banks to continue to identify and create programs that match potential homeowners with bank services and loan products that best match their needs and qualifications.	

8.	Encourage a periodic 'housing market needs assessment' to identify both the construction/housing market's needs, the range of unmet housing types, and the supportive programs that should be established in Jefferson County and the Eastern Panhandle.	
	a. Identify funding sources that would allow for the retrofitting of lower income and public housing facilities to incorporate universal design features.	
	b. Identify and utilize funding sources that that would assist in maintaining and providing energy efficient upgrades to homes occupied by elderly or disabled low-income residents.	
	c. Identify and encourage the involvement of volunteer initiatives to assist elderly and disabled low income residents with routine maintenance	
9.	Encourage local vocational institutions and educational or training entities to continue to train and educate builders, contractors, and construction workers in universal design techniques, energy efficiency, and "green" housing techniques.	
10.	Consider the adoption of a Property Maintenance Code in Jefferson County.	
11.	Work with state legislators to address housing, building codes, and aging related issues.	
	a. Review and amend as necessary the assisted living and nursing homes West Virginia permitting process which may impact the feasibility of age-in-place or transitional housing communities in Jefferson County.	
	b. Actively negotiate with the WV State legislature to adopt the full 2012 International Building Code, including regulations related to energy efficiency.	

Intergovernmental Coordination Recommendations (Goal 26)		
1.	Continue to develop additional interaction and discussion between the various local and regional agencies that are looking at similar issues for ways to increase collaboration.	Local planners and regionals and state transportation professionals meet regularly
2.	Collaborate with the County's municipalities to create a shared services committee that would work to identify ways that the sharing of resources and staffing might be appropriate.	
3.	Explore and provide planning and programming of parks and recreation across all jurisdictions.	The Parks and Rec Commission is the lead agency on this effort
4.	Work with the County's municipalities to create a unified economic development strategy.	JCDA is the lead on this collaborative effort
5.	Coordinate planning efforts with adjacent counties and municipalities to ensure that the development complements the future land uses in Jefferson County, with the intensity of land use gradually decreasing from the urban edge to the rural environment.	Planners within Jefferson County and adjacent counties meet periodically

Economic Development and Employment Recommendations (Goals 6 & 7)		
1.	Expand and strengthen the existing marketing and branding of Jefferson County's qualities, facilities, and resources to potential businesses,	JCDA and JCCVB are the lead agencies for this goal

	residents, and visitors.	
2.	Collaborate with HEPMPO and other transportation agencies to identify ways to improve transportation (commuter, air, rail, and bus services) connectivity and roadways between Jefferson County and nearby states.	Planning staff and elected officials sit on relevant HEPMPO Boards and the EPTA Board to work towards this goal
	a. Establish a working relationship with Washington Metropolitan Council of Governments and Loudoun County's Transportation and Safety Commission to address highway transportation problem areas identified in both counties.	Occasionally staff participates in these efforts
3.	Work with key stakeholders to effectively streamline Jefferson County's permitting and development review processes in a manner that balances the protection of the public health, safety, and welfare of the community with economic development priorities.	2017 proposed Subdivision Regulation amendments relate to this goal
4.	Encourage the Jefferson County Development Authority (JCDA) to identify incentives for the specified target industries on an annual or semi-annual basis.	JCDA is the lead on this goal
5.	Create a business friendly environment in Jefferson County.	
	a. Streamline the State licensing of various business enterprises by providing regional or satellite offices in Jefferson County.	
	b. Coordinate with local and state economic development agencies to identify potential funding sources for economic development efforts.	
	c. Identify opportunities for public/private partnerships (or other creative forms of collaboration) between local and state government entities and private sector investment that would result in the creation or expansion of employment opportunities and infrastructure in Jefferson County.	JCDA is the lead on this goal
	d. Develop a land bank program that would enable potential economic development projects such as a large federal facility or other regionally significant employment facility.	
6.	Develop methods to promote local business growth which include providing research, support, and marketing resources that would assist business start-ups in Jefferson County.	
	a. Plan with stakeholders' co-work facilities or business incubators that provide space for start-up companies along with a small network of entrepreneurs to collaborate.	JCDA is the lead on this goal
	b. Expand awareness of entrepreneurs' forums, employer open houses, and job fairs taking place in Jefferson County and the Eastern Panhandle.	
	c. Encourage local municipalities and residents of the County's villages to research and create Business Improvement Districts (BID) to implement improvements and provide services to businesses located in the district.	
7.	Encourage local employers and the JCDA to improve online and offline outreach to potential employees, including County residents and individuals outside the region.	JCDA is the lead on this goal
8.	Coordinate with local businesses and the JCDA to identify and utilize methods to market Jefferson County's products within the Mid-Atlantic region, the nation, and the world.	JCDA is the lead on this goal
9.	Collaborate with various state and federal agencies to attract departments or agencies that would benefit from Jefferson County's workforce and	JCDA is the lead on this goal

	location.	
	a. Encourage state and federal agencies to consider the location of new facilities in Jefferson County within the growth areas identified in this Plan.	
	b. Encourage state and federal agencies planning to build new facilities in Jefferson County to adhere to local land use regulations as part of the site design process.	
	c. Encourage the utilization of existing structures or the utilization of greyfield or brownfield sites for the development of new state and federal facilities.	
	d. Coordinate with state and federal facilities locating in Jefferson County so that the following land use considerations are addressed and mitigated:	
	i. Existing and potential impacts caused by land uses adjacent to proposed state and federal facilities are known in advance of first construction.	
	ii. Existing and potential impacts of new or repurposed facility use on adjacent lands provide adequate buffers and setbacks to surrounding uses.	
10.	Implement strong and vibrant relationships between Jefferson County businesses and business related organizations and all educational resources in the County, Eastern Panhandle, West Virginia, and the Mid-Atlantic region that will promote graduating students with job opportunities in Jefferson County.	
	a. Expand partnerships with all local and regional institutes of higher education that focus on programs which would further educational opportunities in the core economic sectors identified by the JCDA.	
	b. Maintain and expand relationships with local businesses and local/regional education institutions to increase availability of co-op and mentoring programs between students and businesses in Jefferson County and the Eastern Panhandle.	JCDA is the lead on this goal
	c. Collaborate with key business and economic stakeholders to identify and create programs that would encourage the retention of highly skilled young graduates from the County's institutions of higher learning.	
	d. Coordinate with key business stakeholders to improve employer outreach and collaboration with regional and state university/college career centers to promote Jefferson County employment and internship opportunities to students on all academic levels.	
	e. Coordinate with appropriate agencies to publicize available scholarship programs for students interested in the target industries to strengthen workforce development in Jefferson County.	
11	Collaborate with Shepherd University, American Public University System (APUS), and other higher education entities to identify opportunities for Jefferson County based research programs that would combine classroom learning with virtual resources.	JCDA is the lead on this goal

Agricultural and Rural Economy Recommendations (Goal 8)		
1.	Support West Virginia's and Jefferson County's "Right to Farm" policies which protect the rights of existing and future farms and farmers by	Section 4.5 of the County's Zoning Ordinance protects the

	developing zoning standards, other legislation, and educational programs designed to reduce potential conflicts arising from the proximity of agriculture to residential development (State Code § 19-19; Section 4.5 of the County's Zoning Ordinance).	right to use land for agricultural purposes throughout the County
	a. Identify and utilize a wider variety of funding sources that could serve to expand the County's farmland protection program.	JCDA Farmland Protection is the lead agency on this goal
	b. Create an educational pamphlet informing developers, realtors, and potential homeowners of the offsite impacts of living adjacent to farming activities.	
2.	Enact Zoning Ordinance provisions to reduce the intensity of residential development in the Rural zone, other than by clustering, thereby protecting and increasing the investment potential and attractiveness of the agricultural lands for families, entrepreneurs, and businesses.	Revised cluster provisions approved effective 3/16/17 implements this goal
	a. Decrease the problems of rural traffic volume and the need for additional costly public infrastructure services in rural areas while conserving areas of the Rural zone for agricultural uses and the rural economy through support for rural cluster development vs large subdivisions of new home growth.	Revised cluster provisions (3/16/17) allowing higher density on roads which can handle the traffic implements this goal
3.	Support the rural economy by amending the Subdivision Regulations to establish rural business site plan standards to include:	Revisions to rural site plan standards including in proposed subdivision regulation amendment in progress in 2017
	a. performance criteria, including compatible size, scale, use, intensity, traffic capacity limits, employee limits, site design standards (i.e. buffering, siting), and standards that protect public health, safety, and welfare; and	
	b. the adaptive reuse of existing historic and agricultural structures.	ZTA16-02 in progress
4.	Collaborate with the County's agricultural community to assess the current land use regulations and determine what opportunities for agriculture might currently exist and what additional opportunities might be able to succeed in Jefferson County.	
5.	Amend the Zoning and Land Development Ordinance to permit additional non-residential rurally compatible uses.	
	a. Incorporate into the zoning provisions innovative agricultural uses including the creation of standards which permit flexibility in the sale of farm products and related auxiliary products.	Zoning Ordinance Text Amendment ZTA 16-01, which eliminated LESA, included provisions for non-residential uses that could be permitted or conditionally permitted in the Rural Zone (effective 3/16/17)
	b. Amend local land use regulations to permit non-agriculturally related commercial uses by the Conditional Use Permit (CUP) process in the Rural zone if the use is agriculturally and rurally compatible in scale and intensity, poses no threat to public health, safety, and welfare, and if the use helps to preserve farmland and open space and continue agricultural operations.	
	c. Require that new non-rural commercial uses that are not compatible with the dominant agricultural land use pattern locate only in the Urban Growth Boundaries (UGBs) and Preferred Growth Areas (PGAs) as identified by the future land use recommendations of this Plan.	
6.	Coordinate with local businesses and the Jefferson County Development Authority (JCDA) to brand and market Jefferson County farms and products by identifying and linking potential partnerships and matching suppliers with potential local and regional markets.	JCDA is the lead on this goal
	a. Conduct market research on high-value agricultural products, ancillary farm businesses, and other rural economic uses such as farm agri-	JCDA is the lead on this goal

	tourism, retreats, and country inns;	
	b. Develop and expand, in conjunction with the Jefferson County Convention and Visitors Bureau, brand identification of Jefferson County farm products;	JCDA and JC CVB are the leads on this goal
	c. Provide more alternatives to promote rural tourism and rural land uses.	ZTA 16-01 expanded rural permitted and conditionally permitted uses
7.	Work with Jefferson County's agricultural community to effectively distribute local agricultural products and encourage the growth of the market for local products.	
	a. Facilitate the establishment of year round marketing outlets to support the farm community, such as farmers' markets or a product distribution center;	JCDA and local Farm Market Committees are the leads on these goals
	b. Encourage the expansion of off-site farmers' markets to provide marketplaces for farmers and artisans to sell their goods within a variety of Jefferson County commercial venues;	
	c. Promote products to Jefferson County based businesses.	
8.	Coordinate with key agricultural and rural stakeholders to identify ways to expand marketing and value added production activities for farmers and artisans on their properties in rural areas of Jefferson County.	
	a. Amend existing regulations in order to identify and facilitate ways to allow the sale of items grown, processed, crafted, or manufactured in Jefferson County on farms other than the farm where the product originated.	ZTA 16-01 expanded permitted and conditionally permitted non-residential uses in the Rural zone
	b. Develop a streamlined process for such uses when there are minimal impacts to surrounding neighbors.	
	c. Expand and improve high speed Information Technology (IT) connections in rural areas of Jefferson County with local internet or advanced technologies providers to enable residents to run businesses from home or to telecommute.	
9.	Collaborate with the local artisan community and Jefferson Arts Council to review and amend the local land use regulations to promote and enhance the viability and livelihood of artisans in the rural areas of Jefferson County.	
	a. Encourage local non-profit organizations and local and regional economic development agencies to create a regular forum where all County artisans, businesses, and members of the non-profit and arts communities can meet to network and collaborate.	
	b. Work to improve connections between County businesses and artisans that may have products and services that can be sold in local stores or other businesses.	
	c. Ensure that training and educational opportunities are available that would enable the success of such businesses.	
	d. Establish and support an endowment for arts funding for rural crafted arts.	
10.	Strengthen the Agricultural Committee of the JCDA by creating a public/private Rural Economic Development Council comprised of rural industry sector leaders. This organization will:	
	a. link governmental, non-governmental, and regional organizations;	
	b. link state and federal farm assistance programs to local farmers;	
	c. receive and make grants;	

	d. act as an advocacy group for rural issues; and	
	e. promote activities that nurture the rural economy.	
11.	Create a county or regional agricultural industrial park that could include sites for service providers such as farm equipment repair facilities, tractor and implement sales, meat processing facilities, and veterinarian services; as well as:	
	a. A local or regional food hub that could be tied into Community Supported Agriculture (CSA) packaging and distribution, a regional food bank, and to serve as a marketing site for farms and farmers;	
	b. A neighborhood based CSA or Development Supported Agriculture;	
	c. A permanent, year-round farmers' market site;	
	d. Sites for Industrial Agriculture such as Vertical Farming, Hydroponic Greenhouses, and Aquaponic Farming;	
	e. Agriculture based training, research, and continuing education facilities created in conjunction with institutes of higher learning and research;	
	f. Commercial aquaculture activities;	
	g. A livestock auction facility;	
	h. A Community Cold Storage/Meat Locker Facility that would allow county residents to rent space to purchase and store sides of meat; and/or	
	i. Alternative Energy Production facilities, ranging from ethanol refining to algae production for biofuels.	
12.	Promote and expand the commercial and recreational equine industry as a fundamental component of the rural economy by amending County ordinances to reflect the current practices and needs of the industry.	
13	Collaborate with the County's culinary, artisan, and farm communities and JCDA to study the feasibility of establishing a Culinary Center that would provide exposure to and for marketing the goods that are produced in Jefferson County and the Eastern Panhandle.	
	a. Collaborate with the West Virginia Extension Service, West Virginia Department of Agriculture, and local stakeholders to establish a regional commercial kitchen and packing facility in the Eastern Panhandle that could be used by farm operators in the manufacture of value added products.	
14.	Expand vocational programs, either through the existing Future Farmers of America program in the County's high schools or through programs that combine classroom exercise with a co-op program exposing students to a variety of agricultural formats and opportunities.	
	a. Advocate for Jefferson County Schools to partner with Berkeley and Morgan County schools to create a regional Agriculture Magnet School whose curriculum would be focused on agriculture and agribusiness fields.	
	b. Encourage the Board of Education to provide equal vocational education programs in all middle schools and high schools throughout the County.	
15.	Coordinate with Jefferson County Schools to encourage the following agricultural activities:	
	a. Preserve and expand the Future Farmers of America programs that are in place at the County's middle and high schools.	
	b. Coordinate with local artisans to improve accessibility and awareness	

	of arts education and programming.	
	c. In conjunction with local gardening organizations and Jefferson County Agricultural Development Office, expand school garden programs that could serve as a source of fresh foods for cafeterias.	
	d. Encourage schools to use local agricultural products in cafeterias through partnerships with local farmers and CSA programs.	
16.	Encourage the West Virginia University Extension Office to consider the creation of Mentoring/Training Programs similar to FarmLink programs that are in place in other states such as Maryland and Virginia.	
17.	Support the County's rural economic strategy by working with the State Legislature to review the State Code and consider the following amendments:	
	a. Tax credits on farm-related capital improvements;	
	b. Tax abatement or deferral when a farmer makes an investment in high-value crops that do not turn a profit for several years (orchards, Christmas trees, vineyards, etc.);	
	c. Assessment of farm worker housing on farms below residential market value;	
	d. Additional reduction in the real estate tax rate on rurally zoned property that is under permanent conservation easement.	

Tourism Recommendations (Goal 9)		
1.	Create a unique "brand" for the County for all promotional and marketing materials.	JC CVB is the lead agency on this goal
	a. Increase awareness of public and private recreational opportunities that are available to visitors and residents of Jefferson County.	
	b. Coordinate with the Jefferson County Convention and Visitors Bureau (CVB) to maintain and promote a community calendar.	
2.	Develop a robust arts and culture program in Jefferson County by identifying and utilizing a range of public and private funding sources.	
3.	Create additional opportunities for arts, cultural, and heritage tourism programs and facilities in Jefferson County.	
4.	Establish plans and funding strategies for a county cultural arts center that will incorporate a variety of facilities including studios, galleries, multiple performance spaces, educational and training facilities, and gathering areas.	
5.	Use historic and agricultural structures to support tourism for traditional and non-traditional functions that promote preservation of cultural landscapes.	2016 amendment to allow rural reception events in existing ag structures has been difficult to implement due to Building Code issues
6.	Create a public art program that would encourage the installation of locally produced art in publicly owned facilities and sites.	
7.	Coordinate with various local and regional heritage tourism entities to create a trail that connects historic and battlefield sites located in the County and neighboring counties and states.	
	a. Collaborate with the Journey Through Hallowed Ground or the Canal Towns Partnership's efforts.	
8.	Coordinate with riverside property owners and river tourism service providers to identify and implement methods that would enhance recreation	

	options along the County's waterways, including public river access.	
	a. When considering additional river recreation activities, rural landowners' property rights and the quality of life of the individuals and families living along the waterways should be factored into proposed development plans.	
	b. Encourage all river recreation activities to occur in a manner which supports the Chesapeake Bay Initiative.	
9.	Support and promote rural and recreational tourism to help achieve the County's economic goals.	Zoning Ordinance amendments related to rural reception facilities, campgrounds, accessory dwelling units and nature centers were approved in 2014, 2015 & 2016
10.	Use multi-media technologies to promote tourism, including tourist businesses and the tourism efforts of the incorporated Towns.	
11.	Continue to support the Jefferson County Fair and encourage the continued upgrading of fair facilities.	

Infrastructure and Technology Recommendations (Goals 10 & 11)		
1.	Require key stakeholders to coordinate planning and investment for both local and countywide infrastructure improvements.	
	a. Require members of the development community and utility and service providers to collaborate regularly to plan for future infrastructure needs, while considering the impact on the individual consumer rates.	County Commission is the lead on this effort
	b. Provide and encourage mechanisms to have consolidated water and sewer providers in the County.	
2.	Bring natural gas into Jefferson County to grow the economy and increase the quality of life for the residents.	
	a. Identify partners and funding sources for the expansion of natural gas services.	JCDA is the lead agency on this effort
	b. Ensure that one or more compressed or liquid natural gas fueling stations is built to serve Jefferson County residents, businesses, and visitors.	
	c. In coordination with Hagerstown Eastern Panhandle Metropolitan Planning Organization (HEPMPO), Jefferson County Schools, and Eastern Panhandle Transit Authority (EPTA), advocate for the wider utilization of natural gas as a fuel source for school buses and for EPTA.	
3.	Create opportunities for the County's water and sewer providers to share resources and better coordinate their systems and administration.	County Commission is the lead on this goal
	a. Amend Subdivision and Land Development Regulations to require privately owned public water and sewer utilities to meet the local PSD standards, which would allow a local PSD to assume maintenance, and possible ownership in the future, with fewer upgrades and expenses.	
	b. Provide opportunities for applicable homeowners associations and/or developers to enter into maintenance agreements for privately owned public water and/or sewer utilities with the applicable public utility providers in which the public utility providers will maintain new facilities.	
	c. Coordinate with the County's utility providers to identify methods that would limit the expansion of water and sewer trunk lines to areas within	

	the Urban Growth Boundary and/or Preferred Growth Areas.	
	d. Encourage the PSDs to promote cooperation with the local development community to work toward cost sharing on infrastructure projects.	
4.	Collaborate with Village residents, businesses and utility providers to identify ways to provide water and sewer utilities within Village and village expansion areas.	
5.	Enact and enforce requirements for maintenance and inspection of individual, on-site septic systems on a regular basis.	JC Health Department will be the lead on this effort
	a. Initiate a dynamic education and informational program for County residents concerning well and septic maintenance and use practices.	JC Health Department will be the lead on this effort
	b. Pursue an amendment to the state code to allow residents who are required to connect to an extended water or sewer network to continue to utilize existing individual well and septic systems for the lifetime of the home system if there are no public health issues.	
	c. Collaborate with local public utility providers to identify and provide incentives that would encourage property owners to transition from well and septic to a centralized system where and when needed to address public health issues.	
	d. Find funding mechanisms to defray the costs of providing public utilities in areas where the provision of these utilities is necessary based on declining public health or environmental concerns.	
6.	Coordinate with Region 9 and the County's public service providers to identify and seek additional funding sources that would aid in the construction of needed capital facilities and for the upgrading of existing facilities to meet newer federal standards.	JC PSD has been the lead on this effort; County Commission is the lead on consolidating services
	a. Continue to monitor and participate in planning efforts related to the implementation of the Chesapeake Bay Watershed Improvement Plan.	Staff coordinates with Region 9 and WV DEP staff on this effort
	b. Assess and evaluate the County's stormwater planning documents as best management practices in the field evolve.	
7.	Identify ways that utility services can be regularly upgraded to meet the highest level of service and technology through coordination with local water, sewer, electric, gas, and telecommunications utility and service providers.	
	a. Require all local electric, cable, and other utility providers to bury existing and new lines (serving new development) as a part of the regular maintenance and upgrading of their facilities.	
8.	Encourage public entities to utilize alternative and renewable energy sources for a variety of energy needs.	
	a. Enable the construction of renewable energy generation facilities by residents and businesses.	
	b. Encourage County businesses and service stations to provide electric vehicle recharging stations within Jefferson County as soon as possible and use distinctive signage to guide residents and visitors to the charging stations.	
	c. Develop regulations to enable cooperatives or communities to create a solar panel system that would feed multiple houses in the County.	

9.	Collaborate with local economic development agencies and Information Technology (IT) providers to ensure that the current and future needs of small businesses within Jefferson County are met.	
	a. Ensure that all areas of Jefferson County are served by high speed wireline and/or wireless services and other advanced technologies.	
	b. Encourage private sector investment to improve wireless internet service availability in Jefferson County and the Eastern Panhandle.	
	c. Ensure that, as next-generation wireless and cellular services are implemented, Jefferson County collaborates with providers, including any necessary regulatory changes, to ensure that providers are able to provide these services at the same time as other communities in the Washington, D.C. and Baltimore, MD Metropolitan Areas.	
10.	Partner with IT providers, the Shepherd University Research Corporation (SURC), and the existing federal and state agencies located in Jefferson County to establish the feasibility and creation of an open access telecommunications network that could serve as a trunk line for regional services across the Eastern Panhandle.	
	a. Market the availability of the established trunk line services across the Eastern Panhandle to potential businesses and organizations that are heavily reliant on a bandwidth intensive service and researching Jefferson County as a possible relocation site.	
11.	Explore the creation of a reimbursement funding mechanism that would allow for pump stations and water mains that serve one subdivision to be oversized or expanded upon to serve nearby future development within the designated growth areas, not solely dependent on revenue from rate payers but also the development community.	
12.	Explore policies in concert with the State legislature, Public Service District (PSD), and the municipalities to study and amend regulations related to water and sewer infrastructure development, including legislative options that would allow equitable distribution of cost sharing with entire development community along with rate paying base (i.e. Capital Improvement Fees).	

Transportation Recommendations (Goals 12 & 13)		
1.	Establish an acceptable level of service for the transportation network, balancing improvement of the function and flow of the transportation network with the costs involved in improvements that would meet a higher standard.	
	a. Partner with key stakeholders to identify ways to address transportation safety concerns for existing and future development in Jefferson County.	Staff participates in WV DOH and HEPMPO meetings related to this goal
	b. Coordinate with transportation professionals and the development community to identify design measures that will aid in traffic calming in existing and new developments.	Staff coordinates with WV DOH during development review related to this goal
	c. Collaborate with WV Division of Highways (WVDOH) and other agencies to identify and utilize tools and programs that can be used to mitigate transportation impacts to the County's roadway system from new development or the redevelopment of a site to a more intensive use.	Staff coordinates with WV DOH during development review related to this goal

	d. Recommend that the WVDOH consider Jefferson County's rural economy when developing roadways and traffic circles; encourage wider roadways and traffic circles to accommodate agricultural machinery and equine vehicles.	
	e. Consider the development of transportation designated funding to support future roadway funding.	
	f. Coordinate with property owners and transportation stakeholders to identify methods to ensure that identified future rights-of-way alignments are not impeded by development, while balancing the rights of property owners.	
	g. Partner with key stakeholders and developers to encourage adjoining developments to provide interconnections as a way to limit traffic impacts to primary roadways in Jefferson County.	
	h. Coordinate with key stakeholders to reevaluate and fund solutions that would address safety needs on designated arterial and collector roadways.	
2.	Implement the recommendations of the national Complete Streets best management practices identified in §17-4A-1(Complete Streets) of the West Virginia Code as part of future roadway improvement projects in Jefferson County.	
3.	Maintain membership in HEPMPO and provide funding assistance as needed.	Staff and elected officials participate in HEPMPO meetings
	a. Coordinate with HEPMPO and WVDOH to create an access management and ordinance for arterial roadways located within Jefferson County.	
4.	Collaborate with the WVDOH, residents, and key stakeholders to ensure high quality road development in Jefferson County.	Staff coordinates with WV DOH during development review related to this goal
	a. Ensure additional buffering, landscaping, and placemaking features at gateway areas and along the roadway corridors are provided that would enhance the entrance into the County.	
	b. Encourage early and effective communication between the County Commission and the WVDOH for proposed road improvements and projects in the County.	Staff participates in WV DOH and HEPMPO meetings related to this goal
	c. Encourage the WVDOH to identify preferred alternatives and required ROW and communicate with local planning staff as early as possible to minimize conflict with future development.	Staff has had this discussion with WV DOH and HEPMPO related to this goal
5.	Coordinate with the WVDOH and state and local emergency service agencies to identify additional points of ingress and egress for mountain communities off of Mission Road.	
	a. Encourage the WVDOH and state and local emergency service agencies to work with Virginia or other appropriate agencies to develop an implementation strategy and identify funding for these additional points of ingress and egress.	Staff participates in WV DOH and HEPMPO meetings related to this goal
6.	Coordinate with Virginia and Maryland state transportation agencies to identify ways to improve mobility within the US 340 corridor in the Harpers Ferry area.	Staff participates in WV DOH and HEPMPO meetings related to this goal

7.	Strengthen provisions in the County's Subdivision and Land Development Regulations to accomplish the following:	
	a. Provide for the incremental construction of sidewalks and bicycle and pedestrian paths in and between new and existing neighborhoods as development occurs.	
	b. Require commercial developers to enhance sidewalks, bicycle, and pedestrian paths accessibility, and visibility within their developments.	
	c. Strive to provide connectivity between bike and pedestrian paths that pass through or connect to adjacent new and existing residential developments.	
8.	Coordinate with planning efforts underway by a variety of stakeholder groups to identify and build a series of multi-use trails connecting the County's municipalities, villages, schools, and parks, as well as developing connections to adjacent counties for commuter and recreational purposes.	
	a. Collaborate with the WVDOH to allow pedestrian and bike trails to be constructed within the right-of-way where appropriate.	
	b. Collaborate with CSX and Norfolk Southern Railways to allow pedestrian and bike trails to be constructed within railroad rights-of way.	
	c. Negotiate for future highway widening projects of state and federal roadways to require the provision of multi-use trails that could serve as trunk lines for a countywide trail system.	JC Planning Commission provided comments to this end to the WV DOH for the 340 South project
	d. Design future trails and pathways to balance the mobility needs of County residents with the preservation of natural and historic features.	
	e. Encourage the coordination of the acquisition of funds for the creation of trailheads in Jefferson County by seeking federal, State, County, and private funds.	
9.	Consider funding and encourage EPTA to expand services to meet the growing and evolving needs of all Jefferson County residents.	
	a. Encourage EPTA to act upon the recommendations of the HEPMPO long range transportation plan that provides for additional transit service between:	Staff serves on the EPTA Board and encourages implementation of this goal
	i. Martinsburg and the Charles Town/Ranson area; and	
	ii. Shepherdstown and Martinsburg.	
	b. Study the feasibility of transit service between Shepherdstown and Charles Town/Ranson area, in addition to the service to the Duffields MARC Station.	
	c. Improve awareness of EPTA shuttle service between the MARC stations in Brunswick, stations in West Virginia, and provide direct service between Shepherdstown and the Harpers Ferry and/or Brunswick stations for commuters.	
	d. Develop additional transit services that would allow EPTA to address the transportation needs of the disabled population.	EPTA continues to expand this service through the addition of smaller on-call vans
10.	Partner with applicable transit agencies to study the feasibility of providing commuter bus service to surrounding states from Jefferson County and the Eastern Panhandle.	EPTA and HEPMPO are the lead agencies on this effort

	a. Collaborate with EPTA, HEPMPO, and the Northern Virginia Transportation Authority to study the feasibility of providing commuter bus service between the Charles Town/Ranson area into Leesburg and the future Washington Metropolitan Area Transit Authority (WMATA) Silver Line terminus.	EPTA and HEPMPO are the lead agencies on this effort
	b. Encourage EPTA to collaborate with the Virginia Department of Rail and Public Transit to identify ways to improve transit access from the Eastern Panhandle to a future commuter bus service to Winchester, Virginia identified in the <i>Super NoVa Transit & TDM Vision Plan Study</i> .	EPTA and HEPMPO are the lead agencies on this effort
11.	Collaborate with key stakeholders to encourage the funding and development of the Charles Washington Commuter Center in downtown Charles Town.	Charles Town and Ranson are the lead on the development of this facility.
	a. Encourage the development of park and ride areas with dedicated secure space for vanpool vehicles.	
	b. Reduce the impediments to approval of taxis and short distance shuttle licensing and include a "taxi ride center" in the Charles Washington Commuter Center in downtown Charles Town.	
	c. Consider the development of a bike taxi system in Jefferson County.	
12.	Coordinate with state officials to identify funding sources and mechanisms that would encourage additional MARC service into West Virginia, as identified in the HEPMPO Long Range Transportation Plan.	
	a. Collaborate with Maryland Area Regional Commuter (MARC) and the West Virginia Department of Transportation (WVDOT) to identify ways to improve and expand rail service through the Harpers Ferry Water Gap.	
	b. In conjunction with MARC and the WVDOT, study the feasibility of constructing a facility for MARC in Jefferson or Berkeley County that would allow for additional trains to be stored overnight.	
	c. In collaboration with the Eastern Panhandle's state delegation, work to ensure that sufficient, dedicated funding is available to fund the reimbursement program identified in the Commuter Rail Access Act passed in 2013.	
	d. Collaborate with key stakeholders to identify funding sources that would enable the relocation of the Duffields train station to the Northport Station site in conjunction with future development.	
	e. Collaborate with key stakeholders to re-establish excursion train service into and from Jefferson County to support tourist and day excursion travel.	

Historical and Cultural Resources Recommendations (Goals 14 & 15)		
1.	Coordinate with the Jefferson County Historic Landmarks Commission (JCHLC) to build a Countywide inventory of historic, cultural, and heritage landscape resources to aid officials, planners, preservationists, property owners and researchers to better understand the County's significant resources.	JCHLC has completed this inventory, has mapped the resources and updates it biannually
	a. Identify and implement ways to balance accessibility to, and awareness of, historic sites with privacy and property rights of landowners.	JCHLC has worked closely on ZTA 16-02 to enable adaptive reuse

		of structures
	b. Embark on a collaborative effort with the JCHLC and the County's Convention and Visitors Bureau to educate the County's residents and visitors about historic preservation, goals and current projects in Jefferson County.	JCHLC will be the lead on this effort
2.	Create a non-profit leadership track as part of the Jefferson County Chamber of Commerce's Leadership Jefferson program that could be used to better connect the for profit and non-profit fields to the County's cultural and historic assets.	
	a. Work with the Chamber, local philanthropic organizations, and with Leadership Jefferson sponsors to create additional scholarships for the Leadership Jefferson program that would be available to non-profit cultural agencies serving Jefferson County.	
	b. Partner with local arts and cultural organizations and other key stakeholders to create a countywide public art program for local artists to display sculpture or other art works depicting the area's history and scenic beauty in public areas.	
3.	Coordinate with the West Virginia Division of Highways (WVDOH) to ensure the protection of historic and cultural resources is considered when making decisions related to the location of future highway projects.	All projects involving federal funds are required to complete a Section 106 Study
4.	Review and amend the Zoning Ordinance and Subdivision Regulations to improve historic and cultural resource protections.	
	a. Collaborate with the JCHLC to develop and incorporate language into the County Zoning Ordinance that supports the JCHLC's classification of the County's historic resources into four different levels of importance and varying levels of protection.	ZTA16-02 is currently under consideration
	b. Collaborate with County residents, Jefferson County's development community, and members of the JCHLC to create voluntary design guidelines and standards related to historic sites to encourage development or redevelopment of properties in a way that would be reflective of the site's historic nature and context, while respecting property owner's rights.	
	c. In collaboration with property owners, the development community, and the JCHLC, identify and utilize a series of incentives to encourage the use of the voluntary design guidelines discussed above to ensure the historic integrity of the site is protected.	
	d. Identify archaeological and historically significant built resources as part of a developer's Concept Plans.	This is a requirement of the Concept Plan step.
	e. Collaborate with property owners and the JCHLC to protect historically and/or culturally significant resources during development of a site by providing a credit or reallocation of the density rights on a property or to another property located in Jefferson County in exchange for the retained historic or cultural resource.	ZTA16-01 allows clustering in the Rural zone to protect historic resources; ZTA16-02 to further protect historic resources is currently under consideration
5.	Create a program, with the input of property owners and the JCHLC, that would allow property owners to convey architectural and historical assets to the JCHLC (or similar agency) under protective easement.	
6.	Collaborate with the Harpers Ferry National Historical Park on the following concepts:	

	a. Build upon intergovernmental efforts to develop strategies to entice visitors who come to the Harpers Ferry National Historical Park to stay in Jefferson County for more than a one-day visit to the Park.	
	b. Promote the development of an interconnected trail network that would move visitors from Harpers Ferry and the C&O Canal National Historical Park in Maryland to other areas of the County.	
	c. Develop interconnected and broader public transit opportunities for the Heritage Tourism visitor.	
	d. Expand upon the existing interconnected marketing of the County's multiple historic resources and the National Historical Park.	JCCVB is the lead on this effort
7.	Partner with the American Battlefield Protection Program/National Park Service, the Civil War Trust, the Land Trust of the Eastern Panhandle, and the States of West Virginia and Maryland to help maintain the historic and natural features associated with properties in the Pack Horse Ford area and/or identified in the National Landmarks nomination documents submitted to the States of West Virginia and Maryland by the JCHLC.	JCHLC is the lead on this effort and has recently acquired land near Pack Horse Ford through this mechanism
8.	Explore the creation of a County or regional battlefield trust to fund the purchase of, and the stewardship of, battlefield sites and corridors in Jefferson County, in partnership with local, state, and national organizations.	
	a. Explore opportunities to collaborate with other land trusts and private entities with other preservation goals.	
9.	Encourage the County's municipalities to work toward membership in the State's Main Street program.	
	a. Assist communities in the creation and administration of revitalization efforts and obtaining funding that would aid in façade improvements and restoration, the utilization of upper stories in existing buildings, and streetscape improvements.	
	b. Create and administer a revolving loan fund to achieve this strategy.	
10.	Create a variety of funding mechanisms to support historic preservation, restoration, and adaptive reuse throughout the County to include but not be limited to:	
	a. Encourage a wide range of individuals, businesses, non-profit organizations, and other entities to contribute to efforts related to historic preservation through the JCHLC or other entities.	
	b. Establish a revolving loan fund to foster renovations and rehabilitations of historic structures and the restoration of historic landscapes.	
	c. Provide technical assistance and direct developers toward funding sources to encourage the adaptive reuse of existing historic buildings for other uses.	
11.	Promote the Federal Historic Preservation Tax Incentives program which encourages private sector investment in the rehabilitation and re-use of historic buildings through a number of tax credit programs and ensure that local property owners are aware of these programs.	
	a. Implementing additional local tax incentives to aid in the preservation and/or maintenance of structures or sites of historic interest.	
	b. Identify and market historic buildings and structures where the adaptive reuse of the structure may be warranted.	

	c. Implement local tax credits for adaptive reuse of historic structures.	
12.	Provide sufficient space for the storage, preservation, and use of the JCHLC's physical records and materials as part of a digital management and archival system for County records.	JC County Commission has provide space within the Planning and Zoning Office to house records and interns
	a. Ensure that digital copies of historic materials are preserved and regularly updated in a safe and protected off-site location.	JCHLC is the lead on this effort
	b. Train County staff to be aware of resources related to protection of historic resources.	JCHLC is the lead on this effort

Natural Resources Recommendations (Goals 16, 17, & 18)		
1.	Review and amend the Zoning Ordinance and Subdivision Regulations to require developers design residential and non-residential subdivisions using conservation principles that would protect natural features.	Amendments to the landscaping provisions is a staff priority but has not been started
	a. Review and update the Zoning Ordinance and Subdivision Regulations related to tree preservation, buffering, and effective landscaping standards.	
	b. Create and implement mechanisms to protect natural resources as part of the site development by providing a credit or reallocation of the density rights on the property or to another property for the retained/protected natural resource(s). In no instance shall density rights be lost due to the protection of natural resources.	ZTA16-01 allows clustering in the Rural zone to protect significant natural resources
	c. Research and recommend appropriate lighting standards, based on the International Dark Sky Association recommendations, for new development and the retrofitting of current development when redevelopment of an existing development occurs.	
	d. Implement the recommendations of the Urban Tree Canopy Plan.	
2.	Collaborate with the County's agricultural community, the West Virginia Extension Service, and the Natural Resources Conservation Service (NRCS) to encourage the utilization of best management practices on the County's agricultural properties.	WV DEP and NRCS are the lead agencies on this effort
	a. Continue the efforts of the Jefferson County Farmland Protection Board and property owners to identify and protect areas with prime soils for agricultural uses.	JCDA Farmland Protection Board is the lead on this effort
3.	Coordinate with the West Virginia Department of Environmental Protection (WVDEP) to identify and regularly monitor hazardous materials storage sites that could potentially impact Jefferson County's waterways and groundwater resources.	Staff participates in Source Water Protection Planning efforts
4.	Provide for the stewardship of natural resources in Jefferson County by partnering with property owners and land trusts to seek collaboration opportunities with other land/cultural trusts that do not primarily focus on natural resources.	
	a. Such partnerships could fulfill goals of both entities. (i.e.: a land trust that is interested in maintaining water quality in a particular watershed could partner with a historic trust, which would have the twofold effect of protecting the water quality and the historic resource).	
5.	Collaborate with the NRCS to support and maintain an accurate map of karst features including sinkholes and the underground cave network of Jefferson County to help property owners and developers identify sensitive areas.	

	a. Establish policies and procedures for the protection of sinkholes and springs.	The Stormwater Management Ordinance includes engineering requirements for Stormwater in karts areas
6.	Work with the West Virginia Division of Highways (WVDOH) to ensure that the protection of natural resources is considered when making decisions related to the location of future highway projects.	Staff participates in WV DOH and HEPMPO meetings related to this goal
7.	Reevaluate the requirements related to stream buffering along the County's waterways during site plan and subdivision development, taking into consideration the Chesapeake Bay requirements.	
	a. Require best management practices for areas along all creeks and rivers to be incorporated into all site plans and subdivision plats to provide additional protection for stream corridors and water quality. This is not intended to preclude the development of public access along waterways.	
	b. Develop grassroots citizen-based watershed protection groups for streams in Jefferson County particularly those that serve as public water supplies or feed into public water supplies or those that are listed on the impaired streams lists, by collaborating with the Jefferson County Water Advisory Committee, WVDEP's Potomac Tributary Strategy Team, the Eastern Panhandle Conservation District, and existing local watershed coalitions and groups.	
	c. Review and evaluate the stream buffer language in the Zoning Ordinance and Subdivision Regulations for consistency and adequacy.	
8.	Partner with the Board of Health and property owners to ensure that septic systems are well-maintained in order to protect the County's groundwater resources.	
	a. Support efforts of the local Board of Health to establish standards related to regular septic tank pumping and inspections.	
	b. Work with the Eastern Panhandle Conservation District and other stakeholders to promote their cost share programs for septic pumping.	
9.	Collaborate with the state legislators and other stakeholders to ensure more local control over the siting of quarries, timbering operations, and mineral extraction.	

Parks and Recreation Recommendations (Goals 19, 20, & 21)		
1.	Regularly update and implement the recommendations of the County's Parks and Recreation Master Plan.	Staff participated in the Parks and Rec Master Plan efforts
	a. Identify local and regional groups and organizations that may serve as volunteers for parks and recreational facilities.	Parks and Rec is the lead agency for this goal
	b. Explore the creation of an Adopt-a-Trail or Adopt-a-Park group of volunteers in Jefferson County.	
	c. Encourage the creation of a Friends of Jefferson County Parks as a 501.c.3 non-profit that would aid in fundraising for improvements to Jefferson County's Parks.	
	d. Partner with relevant agencies to encourage the collocation of parks and recreational facilities with schools, public libraries, and other	

	community assets.	
2.	Identify and provide additional programs at parks and recreation facilities for all ages and abilities throughout Jefferson County.	Parks and Rec is the lead agency for this goal
	a. Partner with key stakeholders to establish senior centers in the County that would provide social and recreational opportunities for elderly residents in all sections of the County.	
	b. Provide a greater range of recreational options for residents with disabilities and ensure inclusionary recreational goals are met.	
	c. Expand park and recreational programming options that target teens and young adults living in Jefferson County.	
3.	Evaluate merging the County's Parks and Recreation Department with the various municipal parks and recreation agencies to provide a more coordinated and cost effective parks and recreation system for County residents.	Parks and Rec is the lead agency for this goal
	a. Identify sites for neighborhood and/or community parks within future large scale residential subdivisions, as well as potential programming for those parks.	
4.	Coordinate with the National Park Service, the County's state delegation, and West Virginia State Parks to assess the potential inclusion of a site to the south of the Harpers Ferry National Historical Park as a state park. This park could provide programming and facilities that would draw individuals into the County, provide access to the Shenandoah River for County residents, and complement the activities that take place at the Harpers Ferry National Historical Park.	
5.	Encourage the National Park Service to allow the existing Visitors Center parking area along US 340 as a parking area for multi-day users of the region's trail and recreational facilities.	
6.	Coordinate with key stakeholders to develop a Countywide Trail Plan that includes priorities for trail funding and can be utilized when reviewing development plans for the possible incorporation of sections of the trails within developments.	Trails were a high priority in the Parks Master Plan and a number of volunteer groups are interested in pursuing this.
	a. Ensure that proposed HOA trails and parks are constructed through inclusion in the bonding process.	
	b. Require such trails and parks to be set aside in permanent easements or dedications to ensure the longevity of the proposed facility.	
	c. Include Jefferson County Parks and Recreation Commission in the planning, subdivision, and site review process when a large portion(s) of property preserved for natural area, common area, or other portion of land is to be donated to Parks and Recreation.	Parks and Rec's input is requested at the Concept Plan stage for residential developments
	d. Determine in the Plan who would own and maintain the easements needed for the development of the trail system.	
	e. Identify trail segments where easements might be desired and require these easements to be dedicated if the land is proposed for development.	
	f. Design major trail sections connecting communities for year-round use by the widest range of residents; other trails can be designed with the preservation of nature in mind.	
	g. Collaborate with key stakeholders to fund and construct trailhead	

	facilities along the Route 9 Bike Path and other trunk lines of a countywide trail system to include benches, restrooms, and water fountains.	
	h. Explore potential for rails with trails and/or rail to trail corridors within Jefferson County while ensuring the protection of private property rights along these rights-of-way, such as a trail from Shepherdstown to Ranson/Charles Town.	
	i. Work closely with the National Park Service and the Appalachian National Scenic Trail to create a trail plan that provides interconnections between the various existing and potential trails that run throughout the Harpers Ferry National Historical Park.	Staff participated in meetings related to this concept but have not yet met with the new Park Superintendent about this goal
	j. Explore funding options for an exercise or fitness trail that would include outdoor exercise equipment or apparatus for residents to use.	
	k. Ensure that pedestrian and bicycle access is provided along the main road corridors in Jefferson County as part of a Countywide pedestrian and trail network.	
7.	Coordinate with non-profit groups and federal, state, and local government agencies to create a blueway plan for sections of the Potomac and Shenandoah Rivers located in West Virginia.	
	a. Develop additional public access points to the Potomac and Shenandoah Rivers while taking into account the rights of property owners and environmental concerns.	
	b. Consider the incorporation of stream buffer areas into a linear park system.	
8.	Encourage the creation of park or community facilities targeted toward year round use with a variety of sports and recreational facilities.	
	a. Consideration should be given to the possibility of expanding the Community Center at Sam Michaels Park.	Staff coordinates with Parks and Rec staff on all proposed uses at Sam Michaels Park or other park facilities which includes these concepts
	b. Explore the feasibility of a County indoor aquatic center that includes a competition pool with diving apparatus for students and swimmers of all ages.	
	c. Create community gardens, including a children's garden, located throughout the County, which would allow residents who might not own land the opportunity for small-scale farming for their own needs. This could be done in conjunction with efforts related to establish a permanent farmers' market or with Jefferson County Parks and Recreation.	The city of Ranson and Jefferson County Community Ministries established a community garden in 2017 in old town Ranson
	d. Construct a large-scale dog park with a wide range of activities for dogs, including areas for small and large dogs and a water feature.	A permanent dog park facility is being developed at Sam Michaels park
	e. Collaborate with private entities to determine the feasibility of constructing an equine park facility in Jefferson County to include trails, barns, museums, veterinary facilities, show facilities, and an arena facility.	A private group is investigating the possibility of developing such a facility in Jefferson County
	f. Consider many sports activities that could be made available to the residents of Jefferson County, such as a skate park, disc golf course, an ice skating facility, racket sport courts, shuffleboard areas, and/or	Parks and Rec is the lead agency for this goal

	fencing gyms.	
	g. Assess the feasibility of constructing a multi-field sports competition and practice facility in Jefferson County to include concession, restaurant, and dormitory/hotel facilities intended to accommodate multi-day stays during tournaments and large scale spectator events.	Parks and Rec is the lead agency for this goal
9.	Work with the Jefferson County Development Authority to explore how an effective park and recreation system and trail network can entice businesses and new residents to relocate to or expand their operations in Jefferson County.	
10.	Collaborate with the Jefferson County Convention and Visitors Bureau and private commercial entities to provide a wider variety of recreation needs for Jefferson County residents and tourists to the County.	Parks and Rec is the lead agency for this goal

Education Recommendations (Goal 22)		
1.	Encourage the Jefferson County Board of Education (JCBOE) to include County and municipal agencies on future facility plans and redistricting efforts and ensure that these planning efforts include the potential collaboration of new educational and other public facilities.	Planning and GIS staff participated in the most recent redistricting plan, providing information related to current and future development and school needs
2.	Encourage the JCBOE and relevant government agencies, notably the State School Building Authority, to continue to jointly fund and utilize existing and future school facilities.	Jefferson County Board of Education is the lead on this effort
	a. Continue the use of impact fees at an appropriate level to enable the schools to keep up with the projected increases in student population.	
	b. Encourage the County Commission to support excess levy initiatives to expand the educational capacity of the County.	
3.	Continue to work with the West Virginia Department of Education and the local State delegation to re-evaluate the funding formula related to state based educational aid schools in order to create a quality Jefferson County public school system.	Jefferson County Board of Education is the lead on this effort
4.	Site, when possible, new public and private schools in locations that are walkable and/or bikeable to the neighborhoods that the school serves.	The 2015 Comp Plan encourages growth around existing schools; the School Board recently purchased land within Ranson for a future campus site.
5.	Collaborate with others to construct sidewalks and/or multi-use pathways in order to connect public and private schools to nearby communities, neighborhoods, and to countywide trail, park and recreational facilities.	
6.	Continue and expand before and after care programs at the County's public schools, including child care during school hours for school-age parents, by providing adequate space on site.	Jefferson County Board of Education is the lead on this effort
7.	Expand life-long learning opportunities to meet a variety of interests in community and local government activities.	Jefferson County Parks and Rec coordinates this effort with the Jefferson County Board of Education
8.	Recognize the roles of private education, distance learning, and home	

	schooling in Jefferson County in providing non-traditional opportunities for students.	
9.	Continue and expand education programs for students interested in agriculture- based occupations, such as Future Farmers of America.	
	a. Consider working with secondary and institutions of higher education to create educational programs that would tie into agricultural marketing and the production of value added products.	
10.	Expand education opportunities for students and adult learners who are interested in skilled trade programs and specialized areas of higher education in a variety of disciplines in order to create a flexible, resilient workforce.	
	a. Encourage legislation to establish trade programs in local school systems.	
	b. Support the provision of resources and opportunities to students who are interested in exploring a career in a skilled trades program in addition to existing college prep curriculum.	
	c. Foster partnership with vocational schools and a mentor-to-work program with employers looking for employees with skilled trades training.	
	d. Encourage providing additional continuing education opportunities in skilled professions in the Jefferson County Schools, adjoining county school districts, and institutions of higher education.	
	e. Encourage expansion of opportunities for scientific and research education in the STEM (Science, Technology, Engineering, and Math) fields, liberal arts education, and with entrepreneurship training.	
11.	Encourage regional institutions for higher education to offer or expand the following types of resources to employers and employees:	
	a. Develop non-traditional student programs at appropriate institutions to allow the employed labor force to expand their knowledge. Employers and institutions of higher education could collaborate on such things as a possible reduction in the cost of tuition and applicable curriculum needed for the employees.	
	b. Continue to build upon the activities institutions of higher education and employers have developed in mentorship programs and in the placement of new employees with County employers. A successful transition from the classroom to the employment field is a success for the student, employer and the institution of higher learning.	

Public Library Recommendations (Goal 23)		
1.	Continue to identify ways to affordably provide traditional and virtual library services; a bookmobile service that can serve village areas, senior centers and underserved areas; and educational entertainment options to residents of Jefferson County.	
2.	Identify ways to improve library services on the Blue Ridge Mountain.	
3.	Collaborate with applicable municipal or County agencies to identify potential library sites, prioritizing locations in close proximity to schools, neighborhoods, and village or town centers.	Staff has worked closely with Shepherdstown Library personnel regarding their proposed new library site
4.	Identify funding sources for both capital and operating needs that would allow for the expansion of library services and facilities.	

	a. Consider the creation of a countywide library foundation to provide funding for library needs.	
5.	Encourage libraries to maximize existing library facilities and to explore possibilities for expansion at existing sites.	

Finance Recommendations (Goal 24)		
1.	Develop policies that result in a well-balanced tax base that is not overly reliant on residential taxes, but is diversified by the presence of a robust commercial and industrial tax base.	On-going responsibility of the County Commission
2.	Acknowledge that while the County collects taxes whether a property is located in a municipality or in the unincorporated area of the County, development within municipalities provides a dual benefit of creating fiscally stable municipalities and providing the County with a stable tax base.	
3.	Identify and expand the utilization of state and/or federal grants that might be available for capital projects in Jefferson County.	various departments such as Homeland Security and Emergency Management and Parks and Recreation rely heavily on available grants
	a. Create a grant writer position that would assist Jefferson County and its municipalities. The larger municipalities, Charles Town and Ranson, could be partners in funding this position, and the smaller municipalities could assist in paying for this service only as those communities use the service.	
4.	Identify and act upon opportunities to work with local municipalities so that services, capital items, or staffing are shared.	
5.	Evaluate present funding for County facilities and programs, pursue funding sources that can fund ongoing expenses, and develop capital improvement plans to meet future needs of the County.	On-going responsibility of the County Commission
6.	Identify opportunities to collaborate with public and private entities in a way that minimizes impacts to the County's finances.	
7.	Explore all funding options to support and enhance emergency services.	On-going responsibility of the County Commission and JCESA
8.	Explore all funding options for expansion of and improvements to water and sewer projects in Jefferson County.	On-going responsibility of the County Commission and PSD
9.	Support the utilization of tax increment financing (TIF) and/or business improvement districts (BID) in the downtown and village centers to support the development or redevelopment of economically viable districts.	
10.	Encourage the development of capital improvements fundraisers by the Parks and Recreation Commission or in conjunction with arts and cultural organizations to develop facilities and create a long term funding mechanism.	Priority of Parks and Rec Facilities Committee and Board
	a. Such funds could be used for, but not limited to, developing activities in existing parks, creating trails and pathways, countywide arts and cultural center, and/or a public pool.	

	b. Investigate the creation of a foundation to support local recreational and art and culture efforts or support and assist the Eastern West Virginia Community Foundation and its mission.	
11.	Support the ongoing fundraising efforts by the Farmland Protection Board and other organizations that promote the continued sustainability of agricultural activities and the protection of quality soils.	JCDA Farmland Protection Program is the lead on this goal
12.	Explore amending the state law to create a provision for units rented below the median rental rate to qualify for a proportional reduction in taxes.	
13.	Explore options to develop and implement a tax credit for those improving and investing in designated historic structures while maintaining the historic character of the structures.	
14.	Consider implementation of alternative energy systems as they become more efficient and cost effective in facilities owned and maintained by the County or other public entities.	
15.	Create and provide a series of tax credits based on state and federal government programs for homeowners and businesses that implement sustainable improvements for their homes and/or businesses that would result in long-term energy and cost savings.	

Public Safety Recommendations (Goal 25)		
1.	Continue to develop and implement the tools that would provide for a criminal justice system that meets or exceeds nationally and state accepted standards.	
2.	Consider constructing and operating a County or region-wide fire and/or police training facility by 2035.	
3.	Explore funding resources to provide sufficient funding from all available resources to enable fire and ambulance service to all areas of the County within a reasonable response time.	On-going responsibility of the County Commission and JCESA
4.	Consider the merger of countywide and municipal police services or training activities under a unified agency to maximize resources.	
5.	Consider the creation and location of Sheriff's substations as needed.	
6.	Coordinate with local fire departments and the National Resources Conservation Service (NRCS) to create a program that will work with property owners and homeowners associations (HOAs) to educate and encourage the location of dry hydrants in areas not currently served by public water.	
7.	Amend the land development regulations to require either traditional water supplied hydrants or dry hydrants in subdivisions with 30 or more lots and/or residential units.	
8.	Apply for police, fire, and EMS grants to maximize efficiency of cost.	On-going responsibility of the local fire stations and JCESA
9.	Continue to support and implement a local Flood Plain Management Program, adhering to all Federal Emergency Management Agency (FEMA) requirements, to reduce homeowners' insurance premiums and increase public safety.	Due to efforts of the Floodplain Manager and HSEM, the County's ISO rating was reduced from a 9 to a 6 in 2017
	a. Support the updating of FEMA floodplain maps to accurately reflect	Requires documentation

floodplain boundaries through the federal Letter of Map Amendment (LOMA) process.

submitted by individual landowners

IMPLEMENTATION STRATEGIES

Comprehensive Planning does not end with the adoption of the Plan document. In fact, the adoption of this Plan begins the process of achieving the Goals, Objectives, and Recommendations. Only through the creation of a multi-faceted action program can the Plan Elements and all other components be realized. No single element or component of this document should be consulted exclusively or used out of context. The intent of this document is to provide general directions and guidelines to the Planning Commission and County Commission in the review of existing conditions and development of new planning techniques that will most effectively carry out the objectives of the *Envision Jefferson 2035 Comprehensive Plan*.

By adopting this Plan, the County Commission demonstrates the County's commitment to the implementation of the Plan and the long term welfare of the County's residents and assets. The County now has a vision for the future and making the community driven vision a reality is possible through mutual cooperation and a concentrated effort by all interested parties.

The act of adopting the Plan does not begin the implementation of any item nor does it legally obligate the County to implement any particular recommendation. The *Envision Jefferson 2035 Plan* provides a vision and map for the long-term future of Jefferson County and implementation of its recommendations will be a critical next step.

Introduction

This Plan provides a mix of strategies that are mutually reinforcing and consistent with the Vision Statement for the County. The Plan also provides a set of well-defined Goals, Objectives, and Recommendations to build upon the Vision Statement. Therefore, all future development and redevelopment proposals in Jefferson County should be reviewed for consistency with the adopted *Envision Jefferson 2035 Comprehensive Plan*.

The implementation section of this Plan is the most important and transforming step in the planning process. The most accurate and well developed comprehensive plan will mean very little unless steps are taken to ensure the realization of its goals, objectives and its specific recommendations. From the point of view of the private sector, the term 'implementation' means "making it happen." From the public sector point of view, the term means "to assist and guide development", both public and private, by reasonable and prudent application of the various land regulatory measures adopted by the local community.

A number of existing land use techniques will continue to be used and new techniques or modifications to existing ones should be analyzed to determine if they can be effective in implementing the adopted Goals, Objectives, and Recommendation strategies and help attain the Vision. It is important to note that the mere adoption of the Plan does not automatically amend the existing zoning ordinance, subdivision regulations and other approved regulatory tools that may be impacted by the statements found in this Plan.

The Comprehensive Plan recommends Action in the Following Five Elements:

1. Land Use & Growth Management (including Housing and Intergovernmental Coordination)
2. Economic Development, Employment and Infrastructure (including Transportation)
3. Cultural, Historic, Natural Resources & Recreation
4. Education and Public Libraries
5. Finance and Public Safety

The Plan addresses these Elements and provides development guidance over a 20 year horizon. The Plan will guide the activities and planning related to the Zoning Ordinance, the Subdivision Regulations, annual budgeting for capital planning & improvements, management of County agencies, and relationships with external partner organizations, agencies and governments – all aimed at providing for the orderly, efficient, and sustainable development of Jefferson County and its assets.

This will allow the County to identify and coordinate recommendations for future land uses by balancing competing social, economic, resource, and environmental factors. In order to implement the recommendations of this plan, each proposed action will require separate efforts by one or more agencies and some recommendations may require joint action by the public and private sectors, non-profit organizations, civic associations, schools, and other local entities.

The Plan outlines recommendations for growth opportunities and challenges facing the County. The growth opportunities and challenges that are particularly relevant to the County include, but are not limited to:

1. Promoting and maintaining Jefferson County's quality of life;
2. Highlighting the assets of the County through promoting managed economic growth while attracting new businesses, jobs, quality retail and housing to the area;
3. Using land use strategies such as zoning, subdivision regulations, land conservation, design guidelines, and access management consistent with the Vision statement and the Goals of this Plan and continuing interaction with affected property owners;
4. Promoting the growth concepts in this Plan to effectively manage the County's future development;
5. Facilitating transportation improvements needed in conjunction with development as funds are available and establishing communication with local users of the transportation system;
6. Enhancing linkage between land use and utility providers to provide long term public management of public utilities;
7. Guiding consistent communication and coordination between the local governmental entities and the regional and state transportation planning authorities;
8. Establishing effective public/private partnerships to implement the community's Vision and the Plan's recommendations;
9. Facilitating urban level activity within the Urban Growth Boundaries and Preferred Growth Areas as designated on the Future Land Use Guide;
10. Providing infrastructure improvements through mutual cooperation and support;
11. Locating public facilities and amenities either in advance of or concurrent with, the development in the designated growth areas;
12. Developing pedestrian and bikeway linkages in coordination with quality of life and recreation goals;
13. Facilitating opportunities in the Rural/Agricultural areas to encourage a robust agricultural economy, including on-site production and marketing of goods and reduced site plan standards;
14. Revitalizing and enhancing the viability of the County's villages.

Implementation Tools

Zoning, Zoning Districts, and Zoning Text Amendments

Zoning Ordinances are established to ensure orderly and compatible land use development. Jefferson County has zoning districts that are designated and illustrated on the County Zoning Map. The official Zoning Map divides the County into a series of zoning districts and the zoning text describes the regulations for the use of land within those specified districts. Zoning is typically the primary tool used

by local governments to implement various planning policies and recommendations. The Zoning Ordinance should be effective at addressing subjects such as permitted uses within specific zoning districts, lot sizes allowed, appropriate setback distances, density standards, and design controls. Zoning also conserves and protects property values by prohibiting objectionable land uses in certain districts. Modern applications of zoning have broadened to provide orderly community growth, enhance and diversify a community's tax base, maintain or achieve beauty and variety in the physical environment, accommodate complex and unique land uses and, in sum, make a community livable.

This Plan recommends zoning text amendments to provide opportunities to create or amend existing zoning districts that would better facilitate the types of activity outlined.

- An overlay district or similar mechanism could be used on a section or area to ensure development patterns are in keeping with the Plan. Such a district, if created, could include elements specific to the area that ensure it fits with the intended goals.
- Another land use tool would be the adoption of a district that requires a mixture of uses. Such a district would provide the applicant an opportunity to create a project that could result in a better development and greater flexibility in design with less regulatory barriers and the community could gain a unique development that is appropriate for its particular setting. Mixed use developments that provide dense walkable communities with New Urbanism/Smart Growth design principles should be encouraged in locations delineated on the Future Land Use Guide (see Appendix E – Design Guidelines Images).
- The Zoning Ordinance could provide incentives or density/intensity bonus for development plans that preserve key natural or historic features.
- The cluster provisions in the Zoning Ordinance should be amended to permit a greater density, while preserving a minimum of 50% of the agricultural land, instead of allowing for residential rural development to occur using the LESA/CUP system.

A key component of this Plan is that any zoning map amendments (rezoning requests) that are requested would have to be in conformance with all the recommendations created as part of this Plan. As noted in the Land Use and Growth Management Element of this Plan, the areas zoned Rural within the Urban Growth Boundaries (UGB) of Charles Town and Ranson do not have specific future land use classifications. This was done with the understanding these areas are anticipated for growth and the properties could either be annexed into the applicable municipality or rezoned using the County's zoning map amendment process. The Future Land Use Guide was created to provide an understanding of the types of activity that would be within those locations and provide other agencies, such as the WVDOH and the local water and sewer providers an ability to plan for where their limited resources need to be programmed.

Subdivision Regulations

Subdivision Regulations are adopted to provide quality control for public improvements constructed by private development. Subdivision Regulations also let a local government require minimum or maximum thresholds for improvements in a subdivision and site plans, such as roads, sidewalks, bike paths, stormwater systems, sanitary sewers and open space. While zoning addresses the types and locations of various land use activities, the Subdivision Regulations address the process for receiving development approval.

This Plan encourages efficient layout and design of new and redeveloped sites. This permits greater and more intense use of the land. In some instances, standards should be established for design guidelines for new development which are discussed below.

The Subdivision Regulations should promote road, trail, and sidewalk interconnectivity between and among developments and recreation areas and parks. Active and passive open space standards should be reviewed to ensure proper amount of open space is being created. The Subdivision Regulations should encourage development layout patterns that preserve key features, both natural

and built, without losing any development rights. Key to the development of the rural economic activity areas, the Rural Site Plan standards should be reviewed and amended as appropriate.

Design Standards and Guidelines

Design guidelines can be a useful tool to achieve a more consistent development by conveying preferences to the applicant for parking, building sites, and design, scale and massing of structures. Design guidelines can help to provide a sense of place. The guidelines would result in development patterns that are appropriate for development within the County.

Design standards and guidelines are needed to ensure that there is a degree of continuity and compatibility between and among new and existing uses. The regulations should be structured to allow for design flexibility, yet within acceptable limits to meet the objectives of creating quality developments, protecting existing neighborhoods, natural and historic resources, while promoting the County as an entrance to the Eastern Panhandle and West Virginia.

Transportation

Coordinating and working with the West Virginia Division of Highways (WVDOH) and Hagerstown/Eastern Panhandle Metropolitan Planning Organization (HEPMPO) will be key to addressing the transportation needs and recommendations noted in this Plan. In order to implement the transportation recommendations, including roadway improvements, public transit, bicycle, and pedestrian connections, it is important to partner with the WVDOH and HEPMPMO to identify funding of projects. If an effort to create a parkway-like setting and associated improvements for a corridor is to be implemented, the WVDOH assistance is needed to permit such activity.

Once an alignment is chosen for a new road, purchasing transportation rights-of-way is the most cost efficient method to protect land for public needs. Maintaining a balance between public and private sector responsibility for transportation improvements will be important. During development review, an applicant may grant an area or build around future transportation improvements, but this is not required. If state law were changed to allow reservations for future improvement areas, such reservations should not result in a loss of development rights to the applicant. Such development rights could be exercised elsewhere on the property. Interconnectivity for roads, sidewalks, and trails to other neighboring developments and property should be required and will reduce the traffic volumes on the primary roads.

Jefferson County Development Authority

The Jefferson County Development Authority is a partner in implementing the *Envision Jefferson 2035 Comprehensive Plan*. If the Plan is a “how to grow” tool, the development community provides the ability to carry out the plan. The Future Land Use Guide for the County shows significant areas for growth, business and job creation. The Plan promotes a variety of business expansion and retention opportunities such as retail, small business, office, commercial, federal agencies, and agricultural economic activities. The regulatory agencies should ensure that development review and permitting processes are transparent and predictable for business investment.

State Enabling Legislation

Sections of State Law should be amended to provide for more land use planning tools, greater flexibility in local land use activity, and additional local authority as identified in recommendations of this Plan. Currently, there are elements of state law limiting the authority of local governing bodies and in order for the local governmental bodies to adapt readily to their needs or changing situations, more authority should be granted to the local level.

Regarding land use, the state law has created prescriptive time frames that must be met in order to achieve some uniformity across the state for land development review process. While the attempt is well intended, state law has inadvertently limited the ability to use potentially mutually agreeable development options because the option is not permissible. This can also result in a longer process because the steps have to be broken into separate segments in order to meet state law. Changes

should be considered in the state law which would permit alternative processes and options in addition to the codified language. There may be opportunities to amend state law where the intent of the legislature is achieved, the needs of local community and applicants exercising their development rights are balanced.

Capital Improvement Plan

The Capital Improvement Planning efforts of the County should continue to be used to assist schools, law enforcement, parks and recreation, and fire and EMS as growth within the County increases. The County should consider additional capital improvement plans, including its facilities and future growth needs.



Jefferson County, West Virginia

Office of Planning and Zoning
116 East Washington Street, 2nd Floor
Charles Town, WV 25414

Email: planningdepartment@jeffersoncountywv.org
Email: zoning@jeffersoncountywv.org

Phone: (304) 728-3228
Fax: (304) 728-8126

Planner's Memorandum Planning Commission Meeting October 10, 2017

1) Upcoming Zoning Ordinance and Subdivision Regulation Amendments

a) Landscape Standards

- Stakeholder meeting with staff held – draft amendment in progress.

b) Signage

- Various amendments including animated vs digital signs to be addressed; sign industry may need early input.

c) Parking Standards

d) Subdivision Regulations Amendments

- Staff overview of outreach meeting with surveying community regarding proposed minor amendments (STA 16-01) related to sections requiring frequent interpretations and issues, including but not limited to processing mergers/lot line adjustments; contents of minor subdivisions, etc. held on July 25, 2017 -- draft forwarded to Planning Commission 9/12/17 to schedule Public Hearing
- Staff initiated effort on larger amendment including reorganization of Sub Reg. sections

2) Annual Planning Commission Training

- a) Training on Signage Laws set for **November 28, 2017 at 7 pm**: two part presentation with the WVU Law Clinic providing an overview of the recent Supreme Court decision and any other relevant legal input related to local sign regulations and a member of the signage industry discussing animated signs vs. electronic message boards, which also needs to be addressed in the proposed amendment.

3) Upcoming PC meeting

- a) Next Regular Meeting: **November 14, 2017**.



Ethics and Open Meetings Training

Offered by the Jefferson County Commission

By: Martin J. Wright, Jr., General Counsel
West Virginia State Auditor's Office

Where: Jefferson County Commission Meeting Room
Old Charles Town Library
200 E. Washington Street
Charles Town, WV 25414

When: Wednesday, October 18, 2017

Time: 7:00 p.m.

*Questions regarding the event should be directed to
the Jefferson County Commission: 304-728-3284*