

Meeting Minutes
Jefferson County Planning Commission
November 12, 2019

The Jefferson County Planning Commission met on November 12, 2019 with the following Commission members present: Steve Stolipher, Vice President; Wade Louthan, Secretary; Ralph Lorenzetti, County Commission Liaison; J Ware, Jack Hefestay and Ron Thomas. Staff members present included: Jennifer Brockman, County Planner; Jonathon Saunders, County Engineer; Alex Beaulieu, Zoning Administrator and Rachael Burke, Planning Clerk.

Mike Shepp and Ray Bruning were absent with prior notification.

Donnie Fisher, President was absent without prior notification.

Mr. Stolipher ran the meeting in Mr. Fisher's absence. He called the meeting to order at 7:00pm.

1. Approval of the October 15, 2019 meeting minutes: The meeting minutes were approved with no objections.
2. Citizen Communications. None.
3. Request for postponement. None.
4. **Discussion and Recommendation** (tentative): Planning Commission review and recommendation to the County Commission regarding whether the petition for a Zoning Map Amendment by property owner Murall Limited Partnership for a property located near the Jefferson and Berkeley County lines, on the corner of Coast Guard Drive and Charles Town Road, is consistent with the *2035 Comprehensive Plan*. This property is currently zoned Rural and the applicant is requesting General Commercial zoning. The property is designated as Tax District: Middleway (07); Tax Map: 2; Parcel: 1.3; Size: 5.68 acres

Ms. Brockman provided an overview and explained the options for the submittal of Zoning Map Amendment petitions (rezonings). The item on the Planning Commission agenda today is for Planning Commission input only and is not a Public Hearing; the County Commission will hold the required Public Hearing.

Mr. Paul Raco, a local land use consultant representing the applicant, explained that he will make his full presentation of the Zoning Map Amendment petition at the County Commission Meeting. The petition is before the Planning Commission for a determination as to whether the petition is in conformance with the *Envision Jefferson 2035 Comprehensive Plan*. The properties involved in this petition are located in the Route 9 Preferred Growth Area (PGA) as identified in the *Comprehensive Plan* and are located in between two primary routes (WV9 and WV115). Mr. Raco indicated the surrounding parcels zoning categories and explained that a mixed use Office/Commercial is the future land use recommended by the *Envision Jefferson 2035 Comprehensive Plan*. Mr. Raco explained that the Office-Commercial Zoning District requires a combination 25% commercial land uses with proposed office uses and that this would not work in this area. He provided as an example, that if the Coast Guard, which is located nearby, were to desire be interested in this office space, they would also be required to provide 25% commercial uses, which is not realistic for federal offices. He also stated that the Zoning Ordinance requires a discussion on any change of transportation characteristics and neighborhood from when the original ordinance was adopted to be included in a Rezoning petition. The development of the relatively new 4-lane WV 9 is such a change to be taken into consideration.

Mr. Lorenzetti asked if the land was currently used as farmland and Mr. Raco clarified that it is an undeveloped 5-acre parcel which is not conducive to farming and would not be ideal to even build a home due to the sub-station located right behind the parcel.

Mr. Stolipher made a motion that this rezoning petition is in conformance with *Envision Jefferson 2035 Comprehensive Plan* and to move it forward to the County Commission. Mr. Thomas seconded the motion. A vote was taken and carried unanimously.

5. **Discussion and Possible Action:** ZTA19-01 Event Venue Zoning Text Amendment, sent back to Planning Commission by County Commission on 10/31/2019 to review and discuss before proceeding.

Ms. Beaulieu provided an overview of the County Commission meeting held on October 3, 2019 at which they asked this amendment to be sent back to the Planning Commission for further review. She provided an overview of the three versions of the proposed text amendment provided in the Planning Commission packet. She reminded the Planning Commission that the original purpose of this amendment was to permit Special Event Facilities to occur in new structures as well as existing farm structures in various zones. The amendment was then modified by the County Commission, based on their Public Hearing, to permit an “alternative farm enterprise” which would allow farmers to have land uses on their property that may not be purely agricultural in nature but could support the farm operation. The example provided is a commercial kitchen which does not use products grown on the farm.

Discussion ensued about how to establish changes the Planning Commission wanted to make. Ms. Beaulieu provided an overview of the Alternative Farm Enterprise provisions and Mr. Cochran explained that he worked with her to determine these definitions and amendments.

Planning Commission and Staff discussion ensued. At the end of the discussion, the Planning Commission determined that it agreed with the County Commission regarding changes to be made to this amendment and made one additional edit to remove the following sentence on page 2, “No events that involve charging admission or which are solely primarily performance events (such as music festivals and concerts) are permitted under this provision”. The Planning Commission recommend this change with the further recommendation that the County Commission revisit the Mass Event Text Amendment, for which action was delayed in 2016.

Additional edits by the Planning Commission included:

Edit to page 3, to retain County Commission removal of 10,000 square feet provision.

On page 5, in the first paragraph under Section 8.15 Alternative Farm Enterprise, to delete a portion of sentence #2 after Assessors office, “with an existing agricultural operation.” And all of sentence #3 “For the purpose of this section, existing shall mean any agricultural use which has existed on a parcel of land for a period of two years”.

Mr. Stolipher made a motion that the changes discussed on page 2 (special event definition) and the modification to the second and third sentences under Section 8.15 on page 5 be incorporated into a revised version and that these changes be sent to the County Commission and that the proposed text amendments are in compliance with the

recommendations of the *Envision Jefferson 2035 Comprehensive Plan*. He also included in his motion a request that County Commission send the Mass Gathering Ordinance back to Planning Commission for review and reconsideration. Mr. Hefestay seconded the motion. A vote was taken and the vote carried 5 in support, with 1 abstention, Mr. Lorenzetti.

6. **FY2020 1st Quarterly Report for County Commission:** Ms. Brockman did a brief overview of the new reporting process utilized to develop this quarterly report on behalf of the Planning Commission. Mr. Hefestay made a motion to forward the report to the County Commission. Mr. Louthan seconded the motion, which carried unanimously.

7. **Reports from Legal.**

8. **Planners Memo:**

Update on Greenway Timeline:

It is possible that there will be special meetings in January, February and March that the Planning Commission needs to keep on their schedules.

At the December 10, 2019 Planning Commission meeting, staff and the PC Committee will report back the results of the November 15, 2019 meeting with Greenway and the Committee.

9. **Actionable Correspondence:** None.

10. **Non-Actionable Correspondence:** None.

Mr. Stolipher closed the meeting at 8:05 PM.