

Meeting Minutes
Jefferson County Planning Commission
November 9, 2021

The Jefferson County Planning Commission met on November 9, 2021 at 7:00 pm with the following Planning Commission members present via ZOOM: Mike Shepp, President; Donnie Fisher, Vice President; Ron Thomas; Jack Hefestay, J. Ware, Shane Roper, and Matt Knott.

Wade Louthan, Secretary, and Steve Stolipher were absent with notice.

Staff members present included Jennifer Brockman, County Planner; Alexandra Beaulieu, Zoning Administrator; Nathan Cochran, County Attorney; and Will Rohrbaugh, County's legal representative.

The Planning Commission meeting was held via ZOOM. ZOOM meeting information was made available on the agenda and packet, which were posted to the County website.

Mr. Shepp called the meeting to order at 7:00 pm. Ms. Brockman conducted a roll call.

1. Approval of the following meeting minutes:

Hearing no objection, Mr. Shepp approved the October 12, 2021 and October 26, 2021 minutes as presented.

2. Request for postponement. None.

3. **Discussion and Action on the Sunnyside Investments LLC Zoning Map Amendment Request:**

Planning Commission review and recommendation to the County Commission regarding whether the petition for a Zoning Map Amendment to rezone a 53.2-acre portion of the Sunnyside Industrial Park from Industrial-Commercial to Residential-Light Industrial-Commercial is consistent with the *2035 Comprehensive Plan*. Owner/Applicant: Sunnyside Investments, LLC (Lots 1-5) and Thomas Management Group, Inc. (Lots 8-11). Property Location: nine vacant lots located off Kanawha Lane within Sunnyside Industrial Park, south of Wheatland Road, west of the Norfolk Southern railroad tracks. Tax District: Kabletown (06), Map: 12; Parcels: 12, 12.2, 12.3, 12.4, 12.5, 12.8, 12.9, 12.10, and 12.11. Combined acreage: approximately 53.2 acres. Zoning District: Industrial-Commercial. File: 21-3-Z.

Ms. Brockman provided an overview of her staff report noting, in summary, that the request was relatively consistent with the *Comprehensive Plan*. Mr. John Thomas, owner, explained the nature of the request arguing that due to a lack of available utilities, that industrial uses were not feasible in this location.

Mr. Hefestay made a motion to find the rezoning request consistent with the *Comprehensive Plan*. Mr. Knott seconded the motion, which carried unanimously.

4. **Discussion and Possible Action:** Consider County Commission's request to review the previously approved Solar Text Amendment (ZTA19-03) and its conformance with the existing *Envision Jefferson 2035 Comprehensive Plan*.

Mr. Shepp moved to table discussion of this item, as there were no documents for the Commission to review. Mr. Hefestay seconded the motion. Mr. Cochran agreed that he was not ready to proceed with a discussion of this item. Mr. Shepp called for a vote, which carried unanimously.

5. **Reports from Legal Counsel**

a. Discuss and review Jefferson County Circuit Court Civil Action No. 2021-C-109.

Mr. Cochran provided the Commission a status update and requested an executive session with the Commission to discuss further action.

- b. Review of Zoning Text Amendment File #ZTA19-03 related to solar energy facilities, including review of Jefferson County Circuit Court Civil Action No. 2021-C-33.

Mr. Rohrbaugh noted he did not have anything to report on this item.

- c. Report by counsel regarding Comprehensive Plan Amendment and related issues.

Mr. Shepp moved to go into executive session at 7:26 pm to receive a legal advice regarding Item A, Jefferson County Circuit Court Civil Action # 2021-C-109; and, Item C, Report by counsel regarding Comprehensive Plan Amendment and related issues. Mr. Hefestay seconded the motion, which carried unanimously.

Mr. Shepp moved to come out of executive session at 8:13 pm. Mr. Hefestay seconded the motion, which carried unanimously.

6. Planner's Memo

Ms. Brockman informed the Commission that it was time to begin evaluating the FY2022-2023 budget. Ms. Brockman noted that any services related to the next Comprehensive Plan update, which should be initiated in early 2023, should be addressed in the upcoming budget. In providing some direction on this issue, Mr. Shepp requested that 'Formation of a Budget Committee' be to the December 14, 2021 meeting schedule.

- a. Discussion and Action: 2022 Planning Commission Meeting Schedule

Ms. Brockman presented the draft meeting schedule to the Commission noting that two Regular meeting dates fell on a holiday, which needed the Commission's review. Ms. Brockman added that typically the Tentative meetings (4th Tuesday) of November and December are cancelled due to the holidays.

Mr. Knott moved to accept the draft meeting schedule with the follow revisions: to schedule the May 17, 2022 and November 15, 2022 meeting dates as Regular meetings. Mr. Hefestay seconded the motion, which carried unanimously. The Commission agreed to cancel the Tentative meetings in November and December.

Ms. Brockman reminded the Commission of a Special Meeting on December 7, 2021 for the Comprehensive Plan Text Amendment Public Hearing and that their next regular meeting is December 14, 2021.

7. President's Report. None.

8. Actionable Correspondence. None.

9. Non-Actionable Correspondence. None.

Mr. Hefestay moved to adjourn the meeting at 8:21 pm. Mr. Roper seconded the motion, which carried unanimously.

These minutes were prepared by Jennilee Hartman, Zoning Clerk.