

TWENTY-SECOND ANNUAL REPORT
JEFFERSON COUNTY PLANNING COMMISSION
JULY 1, 1988 THROUGH JUNE 30, 1989

Twenty-second Annual Report
Jefferson County Planning Commission
July 1, 1988 through June 30, 1989

I. OPERATION OF THE PLANNING COMMISSION

A. Planning Commission Membership

1. H. Richard Flaherty, President
2. Robert N. Warren, Vice President
3. William Senseney, Secretary
4. Charles B. Clendening
(designated member from the County Commission)
5. Charles Lutman
6. Robert L. Mason
7. R. Gail Dudash
8. D. Lee Morgan
9. Gilbert Page Wright
10. Betty Braxton
11. L. Campbell Tabb*

* Appointed to replace George E. Tabb

B. Planning Commission Staff

Paul J. Raco, Planning Director
Paula J. Coomler, Assistant Planner/Permit Officer
Julie Main, Executive Secretary *
Rebecca F. Burns, Executive Secretary **
John C. Laughland, County Engineer (employee of the County Commission)

* Julie Main was employed July 18, 1988, and resigned December 13, 1988.

** Rebecca F. Burns was employed May 1, 1989.

C. Schedule of Regular Meetings

Regular meetings are held on the second and fourth Tuesday of each month at 7:30 p.m. in the Planning Commission meeting room located on the first floor at 108 East Washington Street, Charles Town, West Virginia 25414.

During Fiscal Year 1988/89, the Planning Commission held twenty-three (23) Regular Meetings. In addition, one special meeting (work session) was held to work on amendments proposed to the Jefferson County Subdivision and Improvement Location Permit Ordinances, and three special meetings (work sessions) were held to work on the proposed changes to the Zoning and Development Review Ordinance. Also, two public hearings were held to receive public comments on the proposed changes to the Zoning and Development Review Ordinance. In addition, Neighborhood Compatibility Hearings were held on four separate projects. Minutes and tapes of all meetings and work

sessions are on record in the Planning Commission office and are available for public review during normal business hours, Monday through Friday, 9:00 a.m. to 5:00 p.m.

The Staff and Subdivision Review Panel conducted subdivision review work sessions, as necessary, on the first and third Friday of the month at 10:00 a.m. in the Planning Commission meeting room. During Fiscal Year 1988/89, seventeen (17) subdivision review work sessions were held for the purpose of reviewing twenty-seven (27) Community Impact Statements, seventeen (17) Preliminary subdivision plats, and four (4) site plan reviews.

D. 1988-1989 Budget

The following is the budget as approved initially. However, in the middle of the fiscal year, the Staff requested a budget revision to reflect increased needs. These needs were created by zoning and the intense growth pressures. The following is the revised budget for Fiscal Year 88/89.

Total Salary	\$50,877	\$70,877
FICA	3,821	5,322
Insurance	3,600	5,032
Retirement	<u>4,833</u>	<u>6,379</u>
	63,131	87,610
Telephone	1,400	1,400
Printing	1,000	4,000
Travel	0	1,500
Maintenance/Repair	1,000	3,000
Legal Publications	1,000	1,500
Dues/Subscriptions	700	700
Professional Services	0	9,000
Insurance/Bonds	529	529
Contractual Services	0	4,000
Supplies/Materials	500	11,000
New Equipment	<u>0</u>	<u>7,000</u>
Total	\$69,260	\$131,239

In addition, the following items were also approved as expenditures:

Jefferson County Planning Commission
 Twenty-second Annual Report
 July 1, 1988 through June 30, 1989
 Page Three

Engineering Services	\$ 40,000	
Office Improvements and New Meeting Room	25,000	
Sanitarian Contribution	<u>50,000</u>	
Subtotal	115,000	
Revised Budget	<u>131,239</u>	
Total		\$246,239

E. Revenues \$249,448.29

Total revenues increased approximately 50 percent from Fiscal Year 1987/88, due to increased subdivision activity in advance of the adoption of a zoning ordinance, increased building activity and the adoption of processing fees under the Zoning and Development Review System.

II. BUILDING CONSTRUCTION ACTIVITY

A. Improvement Location Permit Activity

The total number of Improvement Location Permits issued during the 1988/89 fiscal year, as shown on the table below, increased by 171 over the last fiscal year. A total of 696 permits were issued versus 525 in 1987/88. Likewise, the total value of construction increased from \$27.5 million in 1987/88 to \$37 million during the 1988/89 fiscal year.

IMPROVEMENT LOCATION PERMIT ACTIVITY
 FISCAL YEAR 1987/88 and FISCAL YEAR 1988/89

	<u>FY 1987/88</u>		<u>FY1988/89</u>	
	<u>No.</u>	<u>Value</u>	<u>No.</u>	<u>Value</u>
Apartment Buildings	7	1,440,000	3	140,000
	(60 units)		(16 units)	
Single Family Homes				
Detached	252	17,139,083	307	25,053,653
Attached	16	913,000	24	1,330,000
Mobile Homes	31	421,350	41	792,827
Garages/Carports	55	290,414	79	491,215
Additions	63	618,167	102	1,398,493
Accessory Buildings	28	122,200	59	208,970
Farm Structures	14	343,000	13	369,329
Commercial/Industrial	41	5,781,985	43	5,767,635
Swimming Pools	14	192,477	21	307,004
Other	4	206,500	4	1,052,000
	<u>525</u>	<u>\$27,469,176</u>	<u>696</u>	<u>\$36,996,726</u>
Total dwelling units	359		388	
Average Construction Cost/ single family home		\$55,464		\$70,624

The total number of new dwelling units created (apartment units, single family homes and mobiles homes) also increased from 359 units to 388 units. All single family homes showed an increase over the previous year, except apartment units. Although the total number of dwellings units increased only slightly, the total average value of residential construction increased from \$55,464 per dwelling unit in 1987/88, to \$70,624 in 1988/89, or slightly over \$15,000 per unit.

The number of permits issued for commercial/industrial buildings increased by 2. However, the value of the construction in this category decreased from \$5,781,985 in 1987/88 to \$5,767,635 in 1988/89. Overall, the number of permits increased by 171 over the previous fiscal year and the total construction value increased by \$9,527,550.

B. Improvement Location Permit Ordinance Revisions

Proposed amendments necessitated by concerns over water quality and quantity were reviewed by the Planning Commission and adopted by the County Commission. These amendments require verification by a well driller that a well has been drilled and is producing a sufficient quantity of potable water. Also, wells must be pressure grouted. In addition, verification from the Highway Department that application has been made for a Highway Entrance Permit will be required, and an approved site plan will be required, for any commercial, industrial or multi-family dwelling project. Another significant change was the addition of a site plan review for all commercial and industrial construction.

C. Enforcement of Flood Plain Management Ordinance

In the 1988-89 Fiscal Year, the Planning Commission staff issued six (6) Improvement Location Permits for construction on lots within flood prone areas. Three of these permits were for construction that is to be located at or above the 100 year flood plain. Three permits, for additions to existing structures, were issued for construction within the flood plain since the value of the addition was less than 50% of the value of the existing structure. One permit for an addition was granted a variance by the Jefferson County Commission.

In addition, the Staff received numerous inquiries as to location of flood prone areas, and prepared a number of parcel maps indicating the regulated flood plain.

III. LAND DEVELOPMENT ACTIVITY

A. Subdivision Ordinance Activity

The number of lots, sites or units approved by the Planning Commission under the Subdivision Ordinance has fluctuated between 154 to 871 yearly over the last four fiscal years. In addition, the number of lots created through the subdivision exemptions has ranged between 50 and 104 annually during the same period. However, the number of lots proposed has increased substantially. Combined (approved and proposed lots), the trend at this point indicates a significant increase in subdivision activity.

A listing of the specific subdivision proposals which have been approved and are currently proposed or pending approval, as of July 1, 1989, can be found in Appendix 1.

In addition to the subdivision activity described above, the Planning Commission received and approved two (2) variance requests to permit two or more principal buildings on a single lot.

B. Construction Inspections and Bonding

Once a project is approved by the Planning Commission, the Planning Commission Staff, and primarily, the County Engineer, inspect the subdivision improvements to insure that they conform with the approved plans.

In addition to the inspections, the Planning Commission Staff administers construction bonds provided by developers to insure completion of improvements. As of July 1, 1989, the total value of the bonds held by the County was \$5,378,385.20. The subdivisions currently bonded and the amount and form of security are listed in Appendix II.

C. Subdivision Ordinance Revisions

During the 1988/89 Fiscal Year, the Planning Commission held one special meeting (work session) to discuss possible amendments to the County Subdivision Ordinance. The main focus of this session was the concern over the quality of the ground water, which precipitated the addition of a requirement for a centralized sewer and water system for subdivisions containing 50 or more lots, increasing the right-of-way and shoulder widths for subdivisions requiring paved roads, adding ditching standards, townhouse standards, and commercial site plan standards, and strengthening of the stormwater management requirements.

In addition, changes needed in order to dovetail the Subdivision Ordinance with the proposed zoning ordinance, were

proposed. After further Planning Commission review, the proposed amendments were subject to a public hearing, and after consideration of the comments received, were referred to and adopted by the County Commission.

D. Salvage Yard Ordinance Activity

The Jefferson County Salvage Yard Ordinance, adopted in August, 1984, established regulations for salvage yards not previously permitted by the State Department of Highways. The ordinance applies to the collection of three or more "junked" motor vehicles (unable to pass State inspection) or other certain accumulations of ferrous and non-ferrous material. Requirements include setbacks, fencing and other site design standards intended to minimize adverse impacts of a salvage yard.

During the 1988/89 Fiscal Year, one application was received for a salvage yard permit. It appears at this time that this project will not be processed within the time frame established for closing of the file. The Planning Commission Staff investigated approximately twenty-five (25) complaints at various locations around the County. Some of the complaints were determined not to constitute a salvage yard by the definition of "junked" motor vehicles. However, efforts have been made by a number of property owners who were investigated, to clean up their property and alleviate the cause for the complaints.

III. STATUS OF PLANNING

A. Preparation of Zoning

With the completion of the Comprehensive Plan in the 1986/87 Fiscal Year, much effort has been directed in the 1987/88 and 1988/89 Fiscal Years to the development of a zoning ordinance.

The report of the Zoning Options Citizen Committee, which was appointed in May, 1987, to explore different zoning forms and make a recommendation to the Planning Commission on the form the Committee felt would be most desirable for Jefferson County, was received September 8, 1987.

The Zoning Options Citizen Committee report recommended a LESA-based (Land Evaluation and Site Assessment) system in combination with some traditional zoning features. On October 27, 1987, a public forum was held to introduce a LESA-based zoning system.

Jefferson County Planning Commission
 Twenty-second Annual Report
 July 1, 1988 through June 30, 1989
 Page Seven

In January, 1988, Fox Associates was selected as the consultants to prepare a zoning ordinance, to be developed and closely coordinated by the Director of Planning and the Assistant Prosecuting Attorney.

In March, 1988, one meeting was held with developers, engineers and surveyors, one meeting was held with farmers, and one with the general public for the purpose of receiving input from them before actual preparation of a tentative zoning draft of the Zoning and Development Review Ordinance. In April, three additional meetings were held at different sites for the purpose of receiving public comment on the tentative draft of the Zoning and Development Review Ordinance. On May 24, 1988, the Planning Commission recommended the final report of the Zoning and Development Review Ordinance to the County Commission, and on July 7, 1988, zoning was adopted by the County Commission, to become effective in 90 days.

The following projects started through the zoning process and passed the Land Evaluation/Site Assessment (LESA) system:

<u>Name of Project</u>	<u>Type Development</u>	<u>District</u>	<u>Acres</u>	<u>No. of Lots/Sites</u>
Shannondale, 7-C	S.F. Residential	Kabletown	32	20
Ambler's Glen	S.F. Residential	Middleway	10	5
Stratford Village*	S.F. Residential	Kabletown	21.5	17
Wolf Management	Commercial (The Lumber Yard)	Charles Town	5	1
West Woods	S.F. Residential	Kabletown	31	10
Scotia Run *	S.F. Residential	Charles Town	32.3	20
Jefferson Asphalt	Industrial (Asphalt Plant)	Harpers Ferry	4	1
Shepherd Glen	S.F. Residential	Shepherdstown	5	35 T.H.
Rockwell's Mini-Storage	Commercial	Charles Town	3	3 Mini-Storage Bldg.

* Projects which initially failed to pass LESA. The developers subsequently agreed to install central water systems which qualified the projects for further processing.

Projects failing to pass the LESA were:

Englewood	Single and Multi-family Residential	Harpers Ferry	10	4
Rolling Knolls	S.F. Residential	Shepherdstown	52	40

It is the Staff's estimate that approximately 2,000 residential lots have been curtailed by zoning by the prospective developer or his agent determining in advance that the property would not pass the LESA system.

C. Intergovernmental Cooperation

The Planning Commission has established an open working relationship with other governmental agencies to ensure cooperation and coordination of programs and planning activities affecting Jefferson County. Examples of agencies the Planning Commission communicates with on a regular basis include: the Jefferson County Commission, Board of Education, Health Department, Development Authority, Emergency Services, Public Service District and the offices of the Assessor, County Clerk and Prosecuting Attorney; the State Departments of Health, Highways, and Natural Resources; and the U. S. Departments of Agriculture and Interior.

D. Miscellaneous Meetings and Activities

In addition to the regular and special meetings of the Planning Commission and the Zoning Board of Appeals, and individual project Neighborhood Compatibility Meetings, the Planning Commission Staff has attended numerous meetings, conferences and work sessions on such topics as groundwater protection, zoning, subdivision ordinance and stormwater management. Formal speaking engagements by the Staff included the Shepherdstown Rotary Club, Eastern Panhandle Home Builders Association, two West Virginia county Planning Commissions, West Virginia Planning Association, and the West Virginia Planning Institute. In addition, the Staff attended a Seminar at Shepherd College on industrial development sponsored by Senator Robert Byrd, and a meeting with corporate leaders, sponsored by Senator Jay Rockefeller.

In the 1988 meeting of the Legislature, enabling legislation was passed to allow counties to adopt a uniform building code. Such a code has been prepared by the State Fire Marshal's office, and any county which wishes to do so may adopt the uniform building code.

The Planning Commission also actively lobbied for passage of legislation which would allow counties to institute impact fees on new development and to provide counties with home rule powers. Efforts will continue along these lines in the 1989-90 Fiscal Year.

F. Miscellaneous Information Requests

As with previous fiscal years, a large portion of Staff time is devoted to responding to inquiries received in person and by telephone. A large portion of these inquiries are directly

related to building and subdivision activity. However, the Planning Commission also receives numerous requests for census information, aerial photographs, flood plain information, and general information related to appraisals and marketing studies. In addition, since the zoning effort has been under way and is now effective, numerous inquiries are directed along this line. The Staff keeps a daily log of in-coming and out-going telephone calls and visits in person. Also, the County switchboard keeps a daily log of in-coming calls, which reflects an increasing number of inquiries handled by the Staff.

The following table shows the number of calls received by the various offices in July, 1988 and in June, 1989:

	<u>July, 1988</u>	<u>June, 1989</u>
Assessor	779	316
Circuit Clerk	359	269
Circuit Judge	246	164
County Clerk	642	489
County Commission	389	369
County Development	203	343
Dog Warden	79	53
Jail	393	79
Planning Commission	497	604
Prosecuting Attorney	370	329
Sheriff-Law	667	560
Sheriff-Tax	88	453
Information	477	287

APPENDIX I
Subdivisions Approved During Fiscal Year 1988/89

<u>Subdivision</u>	<u>District</u>	<u>Acres</u>	<u>No. of Lots</u>
Cloverdale, Section I	Kabletown	79	57
Robert Rawlings Two Lot Subdivision	Harpers Ferry	16	2
Dodson Acres West	Shepherdstown	21	5
Runnymede	Kabletown	32	10
Walter Newman Two Lot Subdivision	Middleway	10	2
Rodney F. Loy Two Lot Subdivision	Middleway	13	2
Border Square I	Middleway	21	9
Eastland, Section IIC	Charles Town	6.5	5
John Duffy Farm Minor Subdivision	Harpers Ferry	187	2
Shepherd College Foundation Minor Subdivision	Shepherdstown	18	2
David Zimmerman Two Lot Subdivision	Kabletown	2.15	1
Blackie Davis Two Lot Subdivision	Kabletown	3.0	1
D. Lee Morgan One Lot Subdivision	Shepherdstown	3.9	1
Orndoff Farm	Middleway	26.62	2
Stickler Farm Minor Subdivision	Shepherdstown	3.8	2
Silverspring & Smithfield Farm	Kabletown	17	1
Eastland, Section IIE	Charles Town	11	4
Steeplechase	Shepherdstown	81.27	52
Phillips (Sharon Hinson) Minor Subdivision	Kabletown	16.793	3
Fox Glen, Lot 4 Division	Middleway	3.9	4
Marilyn Hynoski Minor Subdivision	Shepherdstown	9.34	2
Highland Meadows, Section II	Middleway	41.46	16
Mumford Two Lot Subdivision	Harpers Ferry	5.68	2
Brian Otto Minor Subdivision	Shepherdstown	2.08	2
Falling Springs, Section B	Shepherdstown	5.27	2
Homewood Hills	Charles Town	46.7	10
Stonebrook	Charles Town	47	36
Woodbury Estates, Division of Lot 2	Middleway	10	2
Highland Meadows, Section III	Middleway	21	7
Deer Mountain Estates	Harpers Ferry	110.35	70
Quail Run, Section I	Kabletown	94.4	51
Quail Run, Section II	Kabletown	57.6	36
Tuscawilla Hills, Lots 364-379	Charles Town	6.4	16
Cedar Grove	Middleway	14.7	7
Elk Branch	Shepherdstown	30.2	13
Donald C. Kinley Minor Subdivision	Middleway	56.5	2
Kirk Minor Subdivision	Shepherdstown	9.8138	3
Cloverdale, Section II	Kabletown	116.77	80
Meadowlands, Phase One	Middleway	37.73	16
Meadowlands, Phase Two	Middleway	40.38	19
Edgewood North Subdivision (Changed to "Golden Trout")	Middleway	10.8	4
Edgewood South Subdivision	Middleway	12	7
Renaud Subdivision	Shepherdstown	106.5	2
The Lumber Yard (Wolf Management)	Charles Town	5.03	1
Cherry Hill	Middleway	68	25

Appendix I
 Subdivisions Approved During Fiscal Year 1988/89
 Page Two

<u>Subdivision</u>	<u>District</u>	<u>Acres</u>	<u>No. of Lots</u>
Snyder Minor Subdivision	Shepherdstown	6.51	2
Hottinger Minor Subdivision	Middleway	2.31	2
Davis Minor Subdivision (Wilmar)	Charles Town	29.1	3
White Rock Farms	Shepherdstown	64.17	10
Highpoint	Kabletown	30	12
Avenel	Kabletown	33.2	15
Rose Hill	Middleway	178.3	3
Huntfield Minor Subdivision	Charles Town	516.86	2
Brentwood Subdivision	Harpers Ferry	10	4
Norwood, Sections 3 and 4	Harpers Ferry	45.65	26
Canvasback Ridge	Harpers Ferry	64.135	28
Tuscarawilla Hills, Lots TH13-TH-20 and Lift Station Lot	Charles Town	1.33	8
Tuscarawilla Hills, Lots 398-415	Charles Town	10.86	18
Cabbage Estates	Middleway	22.39	3
Shannondale, Section 7-C	Harpers Ferry	32	20
Cottage Hall 2 Lot Subdivision	Shepherdstown	142	2
McDonald 2 Lot Subdivision	Harpers Ferry	8.5	2
Division of Lot 10, Bardane Industrial Park	Charles Town	6	2
Snow Minor Subdivision	Charles Town	140.68	3
Weaver Minor Subdivision (W. E. Knode, Jr.)	Shepherdstown	119.29	2
Amblers Glen	Middleway	10	5
Morgana	Shepherdstown	100	23
Gerald D. Robinson Minor Subdivision	Harpers Ferry	22.55	2
David Strider Minor Subdivision	Middleway	178.3	3
Patrick Henry Estates, Section C	Charles Town	7.197	30
Patrick Henry Estates, Section D	Charles Town	9.499	43
		<u>3,329.4678</u>	<u>871</u>

APPENDIX II
 Outstanding Construction Bonds As Of June 30, 1989

<u>Subdivision</u>	<u>Security</u>	<u>Amount</u>
Willow Brook, Section I	Cash-in-Escrow	\$3,967.50
Willow Brook, Section II	Cash-in-Escrow	9,712.00
Willow Brook, Section III	Cash-in-Escrow	8,730.00
Patrick Henry Estates, Section B	Cash-in-Escrow	1,500.00
Oakland Heights, Sections 2 and 2	Cash-in-Escrow	574.75
Stafford	Letter of Credit	53,000.00
	Cash-in-Escrow	39,571.00
Maddex Professional Center, Phase I	Cash-in-Escrow	1,700.00
Uvilla Estates	Deed of Trust	31,453.00
Eastland, Section I	Letter of Credit	5,750.00
Eastland, Section II-A	Letter of Credit	30,992.50
Farview Farm	Cash-in-Escrow	9,200.00
Old National Bank	Cash-in-Escrow	25,000.00
Tuscawilla Hills	Deed of Trust	125,000.00
Tuscawilla Hills	Letter of Credit	100,000.00
Tuscawilla Hills	Letter of Credit	100,000.00
Schaeffer's Crossroads	Letter of Credit	31,500.00
Muzzey I	Cash-in-Escrow	4,612.00
Highland Meadows, Section I	Letter of Credit	33,350.00
Willow Spring Farm, III	Cash-in-Escrow	2,588.00
Shepherd Wood	Cash-in-Escrow	1,897.00
Cloverdale, Section I	Deed of Trust	100,000.00
Cress Creek, Meadow Ridge	Deed of Trust	739,792.20
Deer Mountain Estates	Deed of Trust	705,813.00
The Lumber Yard	Letter of Credit	133,014.00
Cloverdale, II	Deed of Trust	142,675.00
Homewood Hills	Letter of Credit	95,450.00
Quail Run, II	Deed of Trust	308,000.00
Patrick Henry Estates, Section D	Cash-in-Escrow	200,000.00
Meadowlands, I	Letter of Credit	118,346.00
Steeple Chase	Deed of Trust	343,837.00
Fox Glen, Lot 4 Division	Letter of Credit	2,000.00
Glendale Estates	Deed of Trust	286,000.00
Somerset Village	Letter of Credit	1,453,128.25
Runnymede	Cash-in-Escrow	9,717.00
Glenn Meadows	Cash-in-Escrow	20,600.00
Shannondale, Section 7-C	Deed of Trust	<u>99,915.00</u>
		\$5,378,385.20

Subdivisions Pending At The End of Fiscal Year 1988/89

<u>Subdivision</u>	<u>District</u>	<u>Acres</u>	<u>No. of Lots</u>
Ridge Meadow	Shepherdstown	52	35
Old Camp Estates	Shepherdstown	32	17
Shannondale, Section 31-F	Charles Town and Kabletown	40	12
Opequon Village	Middleway	176	250
Mouser Hall	Kabletown	247	146
Stratford Village	Kabletown	22.89	17
Apple Blossom Meadows	Charles Town	23	20
Charles Town Station Shopping Center	Charles Town	17.5	181,250 s.f.
Leetown Knolls	Charles Town	33	15
Huntfield	Charles Town	394	1,295 d.u.
Universal Enterprises One Lot Subdivision	Charles Town	2	1
Shenandoah Overlook Terrace	Charles Town	35	350 T.H.
Maurice S. & Joan W. Rogers Salvage Yard	Middleway	10	1
Harpers Ferry Estates	Harpers Ferry	56	180
Burr Industrial Park	Charles Town	300	75
C. Michael Pruitt Minor Subdivision	Kabletown	10	2
Canterbury of Shepherdstown	Shepherdstown	5.050	60 beds
Sleepy Hollow	Harpers Ferry	172	406
Nansfield Hunt	Harpers Ferry	26	21
Schaeffer's Crossroads, Section II	Charles Town	30	24
W. H. Martin Minor Subdivision	Harpers Ferry	13.7	2
Loggia West Virginia Center PUD	Charles Town	4.957	2 Off.Bldg 5 Mini-Stg.
Charles Town Property	Harpers Ferry and Charles Town	885.37	3,352 d.u.
Russell Spring Farm Minor Subdivision	Middleway	115.5	3
West Wind	Harpers Ferry	10	4
Minor Subdivision of Lot 9 of Stickel Division	Charles Town	<u>13.137</u>	<u>2</u>
		2,731.647	6,338 d.u.