

Minutes
Jefferson County Planning Commission
November 12, 2013

The Jefferson County Planning Commission met on November 12, 2013, with the following Commission members present: Paul Taylor, President; Daniel Hayes, Vice President; Gene Taylor, Secretary; Walt Pellish, Stephen Stolipher, Bill McLeod, Wade Louthan, and Darlene Truman. Staff members present included Jennifer Brockman, Director of Planning and Zoning; Seth Rivard, County Planner; Stephen Groh, Assistant County Prosecuting Attorney; and Alexandra Beaulieu, Planning Clerk.

Mr. Gary Phalen was absent without notice.

Mr. Taylor called the meeting to order at 6:58 PM.

1. Approval of the minutes from the September 10, 2013 Planning Commission Meeting.

Mr. Hayes motioned to approve the minutes. Mr. Stolipher seconded the motion, which carried unanimously.

2. Citizen Communications. None.

3. Request for postponement. None.

4. Petition by Ann, James, and Ernest Hunter for a zoning map amendment to the Planning Commission for the purpose of scheduling a public hearing within 60 days. This property is currently zoned Rural and the applicant is requesting Residential-Light Industrial-Commercial zoning. This property is located on the north side of Old Route 9 (Route 115) approximately 700 feet southeast of Berkeley/Jefferson County Line. District: Middleway (07); Tax Map: 1; Parcel: 2.

Mr. Rivard provided a staff report. He stated that staff supported the request and noted that the re-zoning request is in compliance with the 2004 Comprehensive Plan in that adjacent jurisdictions included a number of commercial businesses. Mr. Rivard stated that the property could be served by public water and sewer from Berkeley County.

Ms. Annette van Hilst presented the request on behalf of the Hunter Family. She distributed a paper copy of her Power Point presentation to the Planning Commission members and staff. Ms. van Hilst reviewed recent changes in the area since 1988, when zoning was first put into effect in Jefferson County. She noted the close proximity to Berkeley County commercial businesses including Liberty Business Park, Comfort Inn, Sheetz, and the Hospice Office and Care Center (currently under construction). Ms. van Hilst stated that the request was consistent with the 2004 Comprehensive Plan in that it recognized existing development surrounding the property, as well as the potential for development on the proposed property with the ability to be served by public water and sewer, and natural gas.

Ms. Brockman read into the record a letter from Mr. John Reisenweber from the Jefferson County Development Authority which stated that the JCDA was in support of the re-zoning request. *A copy of the letter is available for review in the office of the Departments of Planning and Zoning.*

Mr. Stolipher motioned to close public comment. Mr. Gene Taylor seconded the motion, which carried unanimously.

Mr. Stolipher motioned to recommend to the County Commission approval of the Zoning Map Amendment request to change the zoning designation of the above referenced parcel from Rural to Residential-Light Industrial-Commercial.

Mr. Pellish seconded the motion, which carried unanimously.

5. Presentation by Martin Burke regarding Historic Landmarks Commission and potential Zoning Ordinance Text Amendment effort (discussion and possible recommendation).

Mr. Burke provided a PowerPoint presentation which included an overview of the history and role of the Jefferson County Historic Landmarks Commission. Mr. Burke also provided an overview of the most recent inventory, which included an update on critical historic features lost in recent years.

The Planning Commission discussed the request and determined that the concerns would be addressed by the Steering Committee in the 2014 Comprehensive Plan.

Mr. Hayes recommended that no action be taken at this time.

Ms. Truman seconded the motion, which carried unanimously.

6. Discussion and possible recommendation regarding proposed text amendment to the Zoning and Land Development Ordinance (Section 4.11) regarding landscaping between similar non-residential uses.

Ms. Brockman reviewed the recommended text amendment which specifically applied to Section 4.11A, "All commercial development adjacent to all other uses must maintain ten (10) foot side and rear yard landscape buffers". Ms. Brockman stated that staff had wanted to address an amendment to Section 4.11 for some time and that recently the Development Authority requested staff review and consider an amendment.

Mr. Rivard stated that staff recommended a reduction in the required landscaping. He reviewed the proposed amendment which included a net result over a 100 foot linear planting of 4 evergreen/deciduous trees, at least 2 of which shall be evergreen (every 25 feet); 4 ornamental trees (every 25 feet); and 12 shrubs. He requested that the PC schedule a public hearing and then forward to the County Commission for approval.

Mr. Pellish recommended staff review the amendment with the Development Authority to receive their input. He stated that the Coast Guard building in the Burr Industrial Park would be a good example because they spent around forty thousand dollars in landscaping.

Mr. Stolipher seconded Mr. Pellish's recommendation to receive JCDA's input and schedule a public hearing. The motion carried unanimously.

Mr. Paul Taylor set a public hearing for December 10, 2013.

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

Active Litigation:

- Far Away Farms

Mr. Groh stated that a hearing for Far Away Farms was held. He stated that he was awaiting final determination and that he would hopefully have it within the next month.

8. Director's Report.

- Update on 2014 Comprehensive Plan.

Ms. Brockman stated that the public input meetings and Stakeholders Sessions were successful. She reviewed the upcoming Steering Committee meeting dates. Ms. Brockman reviewed the current status of the proposed Zoning Ordinance text amendments related to agricultural uses and the New Zoning Categories. She noted that the date October 25, 2013 cited as the date the County Commission made their initial motion should be October 25, 2012. Ms. Brockman provided an overview of the recent

determination by the BZA regarding the Section 5.7(d), "Maximum Number of Lots Allowed" (in the Rural District). She stated that the decision of the BZA resulted in the ability of any property that was of record on October 5, 1988 to be divided to create two (2) lots and a residue every five (5) years as long as the lots could meet Health Department requirements and were a minimum of 40,000 square feet. She added that there were limitations on the number of lots that could be located on a right-of-way before a county grade road was required.

9. **Planning Commission Exchange and Liaison Reports:** None.

10. **President's Report.** None.

11. **Actionable Correspondence.** None.

12. **Non-Actionable Correspondence.**

Mr. Paul Taylor noted a letter from Mr. Todd Hooker RE: Old Standard Quarry Brownfield Development District (09-16-13) and an email received from Mr. Joe Spurgas RE: MGM Well Water Flow Test Results (10-16-13). Ms. Brockman stated that staff were working with the County Clerk to have the letter from Mr. Hooker recorded along with the Plat.

13. **Signing of approved Motions from previous Planning Commission meetings.**

Mr. Paul Taylor signed the motion to approve the Zoning Map Amendment request from the Hunter Family. Mr. Hayes signed one of three motions to approve the waiver requests submitted by the Bloomery Plantation Distillery from August 13, 2013.

Mr. Stolipher motioned to adjourn the meeting at 8:36 PM. Mr. Hayes seconded the motion, which carried unanimously.