



Agenda
Jefferson County Planning Commission
Tuesday, July 8, 2025 at 7:00 PM

**By order of the President of the Jefferson County Planning Commission,
Public Participation is available in-person only.
The meeting will be broadcast live via ZOOM for viewing purposes only.**

In-Person Meeting Location: County Commission Meeting Room located in the lower level of the Charles Town Library (side entrance on Samuel Street)
200 East Washington Street, Charles Town, WV 25414

ZOOM Broadcast Information*: Meeting ID: 885 0093 8788
Meeting Link: <https://us02web.zoom.us/j/88500938788>

**If watching live broadcast, please ensure your microphone is muted and be mindful that your video is streaming to others.*

1. **Approval of Meeting Minutes:** June 10, 2025 meeting.
2. **Request for postponement**

The following items are open for public comment

3. **Public Hearing:** Request for a Final Plat Amendment to lift the single family restriction for a detached accessory dwelling unit for a farm caretaker. See Note #3 on the Garrot Minor Subdivision Final Plat (PB 9/PG 26). Property Owner: Steven Lashley. Property Location: Garrot Minor Subdivision, Lot 1, 273 Job Corp Road, Shenandoah Junction, WV. Parcel ID: 02000300110000; Size: 10.10 ac; Zoning District: Rural (File # 25-2-FPA).
4. **Public Hearing:** Waiver from Section 20.203B.2 of the Subdivision Regulations that requires the proposed project to process as a Limited Site Plan. The project consists of the installation of a 14,861 sq/ft gravel parking lot. Property Owner: Trustee of the Mission Tabernacle Holiness Church. Property Location: Vacant parcel North of 25 Tabernacle Lane, Harpers Ferry, WV. Parcel ID: 02021A00140001; Size: 0.36 ac; Zoning District: Rural (File # 25-20-PCW).
5. **Public Hearing:** Waiver from Section 24.112.C of the Subdivision Regulations to extend the timeframe to submit a sufficient Preliminary Plat for the Orchard Springs Subdivision to July 11, 2026. Property Owner: Alharmoosh Development Group, LLC. Consultant: Civil & Environmental Consultants, Inc. / Attn: Chris Waddell. Property Location: 257 & 263 Ride Road, Shenandoah Junction, WV. Parcel IDs: 02000100290000 and 02000100450000; Size ~76.22 combined acres; Zoning District: Residential Growth (File # 25-21-PCW).
6. **Public Hearing:** Hallmark Glen Preliminary Plat for a Major Subdivision. The proposal consists of a Major Residential Subdivision with 20 lots and associated infrastructure. Property Owners: Harvest Homes, LLC. Property Location: 4001 Engle Molers Rd, Harpers Ferry, WV. Parcel ID: 09001800250000; Size: 100 acres; Zoning District: Rural (File #25-4-SD).
7. **Public Hearing:** Waiver from Section 20.102B of the Subdivision Regulations to allow site grading to commence prior to site plan approval for the proposed Hallmark Glen Subdivision (File: 25-4-SD). Property Owners: Harvest Homes, LLC. Property Location: 4001 Engle Molers Rd, Harpers Ferry, WV. Parcel ID: 09001800250000; Size: 100 acres; Zoning District: Rural (File #25-22-PCW).

There is no public comment for the following items.

- 8. Discussion and Action on the Hoxton Center (General Commercial) Zoning Map Amendment**
Request: Planning Commission review and recommendation to the County Commission regarding whether the petition for a Zoning Map Amendment to rezone the 1.07 acre Hoxton Center, LLC Property from Rural(R) to General Commercial (GC) is consistent with the *2045 Comprehensive Plan*. Property Owners: Hoxton Center, LLC. Property Location: 8516, 8524, and 8530 Shepherdstown Pike, Shepherdstown WV. Parcel ID: 09008B01300000; Size: 100 acres; Zoning District: Rural (File #25-2-Z)
 - 9. Discussion and Possible Action:** Draft amendments to the Zoning and Land Development Ordinance and Subdivision and Land Development Regulations regarding the creation of the proposed Rural Residential zoning district.
 - 10. Discussion and Possible Action:** Staff review of proposed text amendment regarding Data Centers.
 - 11. Discussion and Possible Action:** Staff review of proposed text amendment to revise language on Solar Energy Facilities in the Zoning & Land Development Ordinance Section 2.2, Section 4.13, and Section 8.20 and add specific requirements for Solar Energy Facilities to the Subdivision & Land Development Regulations.
 - 12. Discussion and Possible Action:** Review of draft Planning Commission Public Meetings Policy
 - 13. Reports from Legal Counsel**
 - 14. Planner's Memo:**
 - a. Planning Commission Training Discussion
 - 15. President's Report**
 - 16. Actionable Correspondence**
 - a. Emails re: "Please don't limit public input to 90 minutes" received between 06/21/25 – 07/01/25 from the following citizens:

Susan Shackelford, Lori Bahamonde-DiGiambattista, Windsong Bergman, Jane Butler, Amy Cunningham, Amy Cunningham, David Fraser, Rosemary Graham-Gardner, Ruth Hatcher, Dennis Hatcher, Edward Hogan, Joseph Martin, Mark Muse, Elizabeth Watts, and Joseph White, Katherine Austin, A Eliza, Sharon Garlena, Vicki Haygood, Elizabeth Watts, Jennifer Jones, Marie Withers, Marie Chamblin, Kathryn Christopher, Martha Ehlman, Thomas Peck, Ali Printz, Pam Rowley, Carolyn Thomas, Walter Tomlin, Terry Tucker, Lisa Wellington, Rosalid Welsh, Anne Barrat, Ned Marshall, Suzanne Patrick, Philip Carter Salladay, Abraham Camacho, Keith Carter, Lindsay Chase, Chris Cramphin, Hannah Darr-Clarke, Toby Degenhardt, Laura Degenhardt, Sonny Discini, Karla Dodd, Christine Dorsey, John Doyle, Charlotte Fremaux, Emmet Fremaux, Jennifer Fisher, Roseanna Fisher, Joyce Heiderman, Holland Hook, Majorie Howard, Victoria Johnston, Debby Kay, Linda Lewis, Leah Lloyd, Kathy Lloyd, Joseph Martin, Barbara Milleson, Alicia Michaels, Suellen Myers, Danielle Patterson, Stacey Rawlings, Edward Reifer, Leah Rampy, Suzanne Ravgiala, Linda Roberts, Trudy Roth, Alden Roth, Anne Ryan, Douglas Shaffer, Ellen Smith, Theresa Stogner, Molly Sutter, Lizz Temple, Steven Vogel, AnnaMary Walsh, Karen Weigel, Carol Wood, Irene Yates, Linda Zwobota, Skye Allen, David Barrett, Nicola Bastian, Pamela Camacho, Lynn Delles, William Grantham, Nicholas Gray, Patrick Green, Beth Healey, Theresa Johnson, Leigh Koonce, Hilary Lo, Teresa McBee, Zachary Meehan, Jennifer Miller,
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Troy Miller, Madge Morningstar, Jennifer Newsome, Lisa Payne, Maria Russo, Michael Simms, A Temple, B Temple, Rebecca Thompson, Thomas Thompson, Brown Truslow, Elizabeth Vesper, Christine Wiegman, Christine Wimer, Susie Wimer, Sam Yates, Julia Yuhasz

- b. Elizabeth Nicholson
- c. Jacquelyn Milliron
- d. Cheryl Middleton
- e. Jefferson County Foundation

17. Non-Actionable Correspondence



Jefferson County, West Virginia
Department of Engineering, Planning and Zoning
Office of Planning and Zoning
116 E. Washington Street, 2nd Floor
Charles Town, West Virginia 25414

Email: planningdepartment@jeffersoncountywv.org

Phone: 304-728-3228

MEMORANDUM

TO: Jefferson County Planning Commission
FROM: Charles Cain, Planning Intern
DATE: July 8, 2025
RE: Draft Zoning Ordinance Amendment (File #ZTA25-03)
Proposed Rural Residential District and Related Changes

Background

Following the June 10 Planning Commission meeting, drafting the Rural Residential zoning district emerged as a priority. Further edits and corrections have been made to the proposed amendment for the Rural Residential zoning district. Density calculations for residential districts are included below, and definitions of triplex and quadplex have been added below.

List of Zoning Ordinance Sections to Amend

1. **Section 2.2** – Clustering and Green Space now reference 5.18, Triplex, Quadplex definitions added
2. **Section 4.10** – Requirement of a site plan
3. **Section 5.1** – List of zoning districts now includes Rural Residential (RR)
4. **Section 5.18** – Section added for Rural Residential
5. **Section 6.3** – Revised Conditional Use Permit processing requirement to include RR zoning district
6. **Section 8.14** - Included a reference to the RR zoning district re: Special Event Facilities.
7. **Section 9.5** – Included a reference to the RR zoning district re: setbacks.
8. **Section 10.5 & 10.7** – Included a reference to the RR zoning district re: Electronic Signs.
9. **Section 11.2** – Residential Parking requirements defined for triplex and quadplex
10. **Appendix A** – Inserted site development standards for RR, inserted triplex and quadplex uses
11. **Appendix B** – Inserted site development standards for conditional uses in RR, fixed typo
12. **Appendix C** – Inserted permitted uses of RR district, added RR to list of districts under table

Next steps

These amendments will be reviewed by the Planning Commission during a regular meeting. If the Planning Commission chooses to move forward with the proposed text amendments, a public hearing will be required before the Planning Commission. Following a public hearing, the Planning Commission can recommend the amendments to the County Commission or make additional revisions to the amendment prior to recommendation.

Attached Documents and Information

1. Previous research and comparisons of housing density between R, RR, and RG.
2. Descriptions of changes to the Zoning Ordinance
3. An updated draft of amendments to the Zoning Ordinance
4. Relevant Excerpts from the Comprehensive Plan.
5. 2024 Zoning Map and the 2045 Comprehensive Plan's Future Land Use Guide
6. Correspondence from Commissioner Cara Keys (06/11/25)

Research for Rural Residential (from June)

The Rural district's minimum lot size is not based on availability of central water and sewer for a lot; however, the Residential Growth's minimum lot size is based on availability of central water and sewer for a lot. The Rural district also includes clustering requirements in Section 5.7D.2 for some new subdivisions. These clustering requirements and differences in minimum lot sizes justify the creation of a Rural Residential district. Agricultural uses will still be permitted in the residue created by a cluster development. Jefferson County's future land use guide also designates many areas with housing as "rural residential" meaning many areas in Jefferson County would be appropriate for this district.

Shenandoah County, VA Code §165-12.1 establishes a Rural Residential – Agriculture District, which does not allow agricultural activity or other non-residential uses, exceptions being essential utilities, residential farms, and playgrounds. These permitted uses give a good understanding of what uses to permit and allow conditional uses for in the new RR district, but the minimum lot area of 3.5ac would interfere with the desired clustering requirements. Clarke County, VA also utilizes a Rural Residential district and only requires 25ft rear setbacks, 10ft side setbacks, and other small distances per Table 4.1.3[2] in Clarke County Code Chapter 200, Article I §4.1.3. To preserve rural character and provide adequate space for family life and comfort, Clarke County requires a minimum area of 1 acre for lots not served by central sewer, and this decreases to 30,000 square feet in areas served by central sewer. Clarke County Code Article I §4.1.3, Table 4.1.3[2] contains similar requirements to Jefferson County's Residential Growth (RG) district, meaning density enough for clustering requirements can be met while preserving the open space typical of rural areas in Jefferson County. Furthermore, a study by Newburn & Berck in 2006 of residential density in Sonoma County, CA found that rural-residential areas with minimum lot restrictions may encourage sprawl, and that multiple densities should be considered to minimize the loss of habitat or farmland (p. 27-28). This indicates the minimum area requirement is especially important to any RR district, and that different densities should be considered based on lot access to water and sewer, with those lots served by utilities being smaller.

References

- Clarke County, VA, Code of Clarke County Chapter 200, Article I §4.1.3 (2025).
- Frederick County, VA, County Code Part II §165-705 (2023).
- Loudoun County, VA, Zoning Ordinance, Chapter 2, §2.03.04 (2023).
- Majors, C., Hill, J. R., Stewart, C., & Tovey, J. D. Planned Unit Developments and Overlay Zoning.
- Newburn, D. A., & Berck, P. (2006). Modeling Suburban and Rural-Residential development beyond the urban fringe. *Land Economics*, 82(4), 481–499. <https://doi.org/10.3368/le.82.4.481>
- Nuñez, L. (2021). *Commercial corridor redevelopment Strategies*.
- Shenandoah County, VA, County Code Part II §165-12.1 (2023).
- Washington County, MD, Zoning Ordinance §16 (2018).

Comparisons of Maximum Density between R, RR, and RG

Additional restrictions have been proposed on development in Rural Residential. Now 1 lot can be created for every 2.5 acres, placing its density between Rural (R) and Residential Growth (RG). RR also allows triplexes and quadplexes, meaning giving a dwellings per acre count of 4.35 for single-family structures or duplexes, 7.06 for triplexes and 7.58 for quadplexes.

Many **theoretical estimates** of maximum density have been provided **for single family detached dwellings**. The real maximum density possible will depend on the developer's preferences, amount of land dedicated to stormwater, roads, or parkland, and land that is not buildable. Calculations assume 100 acres of land with no special features like rivers, mountainside, etc. that are not buildable. Calculations for RG assume 10% of developed land is used for stormwater, 22% is used for rights-of-way, and 10% for parkland. Examples for Rural, Residential Growth, and Rural Residential are below:

1. In the **Rural District**, a landowner may subdivide into clusters along the sliding scale (50-75%).
 - a. No parkland requirements, with 50% green space preserved allows 20 lots for single-family homes only.
 - b. No parkland requirements and utilizing the sliding scale preserving 75% green space, gives 40 lots allowed with minimum sizes depending on utility availability. **So the maximum density in 100 acres is 40 dwellings.**
2. In the **Rural Residential District**, a landowner may subdivide into clusters more densely but with parkland requirements similar to the RG district. Examples are below:
 - a. Old draft (June 10 draft): No limit on number of lots, 50% preserved as green space, assumes 2.8ac parkland, 5ac stormwater management, 11 acres for roads, leaving land for 135 homes at 10,000ft². **The maximum density with the old draft is about 135 dwellings per 100 acres with water AND sewer.**
 - b. New draft: One lot subdivided per 2.5ac, 50% preserved as green space, allows 40 lots. These lots have minimum sizes of 10,000ft² both water and sewer, 20,000ft² with water or sewer, or 40,000ft² with neither (same as Rural sizes). These lots can be larger than 1 acre, so **the maximum density without utilities is about 40 dwellings per 100 acres (built on 50 acres).**
 - c. New draft: One lot subdivided per 1.75ac, with 65% preserved as green space, allows 57 lots on 35 acres. These lots must be smaller than 0.6140 acres (26,747ft²) to account for roads, stormwater, and parkland. So developments at this density must have access to at least water or sewer. **The maximum density with water OR sewer is 57 dwellings per 100 acres (built on 35 acres).**
 - d. New draft: One lot subdivided per 1.25ac with 75% green space preserved on the sliding scale, allows 80 lots on 25 acres. These lots must be smaller than 0.3125ac (13,612ft²) to account for roads, stormwater, and parkland. Therefore, it is not possible for development at this density without access to water and sewer. **The maximum density with water AND sewer is 80 dwellings per 100 acres (built on 25 acres).**
3. In the **Residential Growth District**, a landowner may subdivide all the land into housing but must preserve a percentage as parkland.
 - a. An estimate of 22ac of roadway, 10 for stormwater management, and with a density of 7.26 housing units per acre, 10ac for parkland (10%) leaves 58 acres for housing. 421 single-family homes can be built on a minimum 6,000ft² lot in this area. **The maximum density for 100ac of RG is about 421 single-family homes.** This can increase with duplexes, townhomes, etc.

Descriptions of Zoning Ordinance Changes

1. **Section 2.2** – Clustering and Triplex, Green Space, Quadplex definitions
2. Clustering now references 5.7 Rural clusters and 5.18 Rural Residential clusters. The Green Space definition confirms that green space residues created through clustering can be used for agricultural purposes. Triplexes and Quadplexes are defined as buildings spanning three and four properties with legal lot lines and walls separating the properties.
3. **Section 4.10** – Modify site plan requirements as they pertain to Triplexes and Quadplexes
4. **Section 5.1** – List of zoning districts now includes RR
5. **Section 5.18** – Section added for Rural Residential
This section has changed since the previous meeting. Clustering requirements have been added to address density concerns. There is also a green space preservation sliding scale in the clustering requirements similar to the Rural district. If developers do not cluster homes, they are subject to a provision allowing up to 3 lots every 5 years on a residue or the parent parcel. This requirement is the same as in Section 5.7D.3.
6. **Section 6.3** – Revised Conditional Use Permit processing requirement to include RR zoning district as it relates to roadway adequacy.
7. **Section 8.14** – Included a reference to the RR zoning district re: Special Event Facilities.
8. **Section 9.5** – Included a reference to the RR zoning district re: setbacks.
9. **Section 10.5 & 10.7** - Included a reference to the RR zoning district re: Electronic Signs.
10. **Section 11.2** – Residential Parking requirements loosened for triplex and quadplexes
Currently, the requirements³ only distinguish between single-family, duplexes, and townhomes. Triplexes and quadplexes are not townhomes. They should not be subject to additional requirements like a bus pull-in area, different setbacks, fire hydrants, etc. A row in the table in Section 11.2 has been changed so the uses are grouped with duplexes.
11. **Appendix A** – Inserted site development standards for RR, inserted triplex and quadplex uses
Site development standards have been amended to include triplex and quadplex uses, which are permitted on smaller lots than single-family homes. Footnotes have been inserted to ensure there are no issues with lot lines and lot size and shape when developing triplexes or quadplexes. With these uses now included, a 25ft height limit was added to ensure only two story structures can be built.
12. **Appendix B** – Inserted site development standards for non-residential uses in RR, fixed typo.
These development standards are the same as Neighborhood Commercial.
13. **Appendix C** – Inserted permitted uses of RR district, added RR to list of districts under table.

Ongoing Priorities

1. Triplexes and Quadplexes have been added to the list of definitions and Appendix C, where they are a permitted use in Planned Neighborhood Development, Rural Residential, Residential Growth, R-LI-C, and Village. This distinction is made so that only 3- and 4-unit dwellings can be permitted in certain zones. The current definition of “Dwelling, Townhouse” does not allow for this distinction. In Rural Residential, they are permitted only in areas of water and sewer availability and are at most 2 stories.
2. Clarifying the subdivision process and land rights of rural land owners to the public after the approval of this amendment may be important as rural landowners now have a choice to subdivide using existing rights under Section 5.7D, to make clusters of Rural zoned land, and the choice re-zone and subdivide as Rural Residential clusters. Rural land permits more uses, but residential clusters can be denser under Rural Residential. This helps accomplish Objective 1.1.1 in the Comprehensive Plan.

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| Campsite ³¹ | Generally means an area where an individual, family, or group can pitch or place a camping unit; a campground may contain many campsites. |
| Campsite Pad ³¹ | An area within a campsite intended for the exclusive occupancy by a camping unit or units under the control of a camper. |
| Car Wash ²⁷ | A structure, or portion thereof, containing facilities for washing motor vehicles by hand or by using production-line, automated or semi-automated methods for washing, whether or not employing a chain conveyor, blower, steam-cleaning or similar mechanical device. |
| Caretaker Residence ^{23, 31} | A permanent or temporary residential structure that is secondary or accessory to the primary use of the property for the use of a caretaker or security guard. |
| Cell on Wheels“COW” ²² | A portable self-contained cell site that can be moved to a location and set up to provide personal wireless services on a temporary or emergency basis. A COW is normally vehicle-mounted and contains a telescoping boom as the antenna support structure. |
| Change of Use ^{23,32} | Any use which is different than the previous use of a building or land. |
| Church ²³ | A building or site wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose. Includes synagogue, temple, mosque, or other such place for worship and religious activities. |
| Clustering ^{5, 23, 32} | Grouping structures in closely related groups at higher densities than normally permitted in certain areas in order to preserve other areas as parks, recreational areas or sensitive natural areas. Overall density of the total parcel does not change unless otherwise provided for in this Ordinance. See Section 5.7 and Section 5.18 for minimum area per dwelling unit and minimum lot area. |
| Co-location ^{10, 22} | For purposes of regulating commercial wireless telecommunication facilities, co-location means the placement of additional antennas or antenna arrays on an existing or approved telecommunication tower or support structure (or alternative structure), or otherwise sharing a common location by two or more FCC licensed providers of personal wireless services. Co-location includes antennas, combiners, transmitters, receivers and related electronic equipment, cabling, wiring, equipment enclosures and other components or improvements associated with a wireless telecommunication facility. |
| Commercial Agricultural Enterprise ^{17, 21} | <p>Farm operations which will:</p> <ul style="list-style-type: none"> A. Contribute in a substantial way to the area’s existing agricultural economy; and B. Help maintain agricultural processors and established farm markets. When determining whether a farm is a part of a commercial agricultural enterprise, not only what is produced, but how much and how it is marketed shall be considered. |

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| Dry Cleaning and Laundry Services ²⁷ | The use of a site for customer drop-off and pickup of clothing or fabrics, to be laundered or dry-cleaned at an offsite location. This use does not include use of a site as a Dry Cleaning and Laundry Facility. |
| Dwelling Unit ^{7, 23} | One room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly, or longer basis, occupied by no more than one family, and containing no more than one independent food preparation area together with facilities for sleeping and bathing. |
| Dwelling, Detached | A building containing only one single family dwelling unit surrounded by yards or other open area on the same zoning lot. |
| Dwelling, Duplex ²³ | A combination of no more than two single-family dwelling units, with each individual dwelling unit located on its own legal lot, and sharing a common lot line and a common vertical wall. |
| Dwelling, Multi-Family ²³ | A building containing three or more dwelling units, which may include rental or condominium residential units. |
| <u>Dwelling, Quadplex</u> | <u>A combination of four single-family dwelling units, with each individual dwelling unit located on its own legal lot and sharing common lot lines and vertical walls with the other units.</u> |
| Dwelling, Single Family, Small Lot ²⁷ | A single-family detached dwelling meeting the site development standards for a Dwelling, Single Family, Small Lot (as required by this Ordinance). |
| Dwelling, Single Family ^{23, 32} | A detached building containing not more than one dwelling unit and not occupied by more than one family. A Single Family Dwelling shall include modular, manufactured and mobile homes as defined herein. |
| Dwelling, Townhouse | One of a series of three or more attached dwelling units separated from one another by continuous vertical party walls without openings from basement floor to roof. |
| <u>Dwelling, Triplex</u> | <u>A combination of three single-family dwelling units, with each individual dwelling unit located on its own legal lot and sharing common lot lines and vertical walls with the other units.</u> |
| Dwelling, Two-Family | A building located on one zoning lot containing not more than two dwelling units, arranged one above the other or side by side, and not occupied by more than two families. |
| Easement | A lawfully acquired right or privilege to use a parcel of land or a portion thereof for a specified purpose. An easement is retained by a person other than the owner of the land parcel. |
| Electric Vehicle Charging Station ^{27, 32} | A public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle. Electric Vehicle Charging Stations at single family |

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| Glare | The effect produced by brightness sufficient to cause annoyance, discomfort, or lessen visual performance and visibility. |
| Golf Course ²⁷ | A facility for the playing of golf. A golf course may include a clubhouse with restrooms and locker rooms; may provide additional services customarily furnished such as swimming, outdoor recreation, and related retail sales; and may include a restaurant as an accessory use. |
| Governmental User ²² | Federal, state or local governments, or agencies or instrumentalities thereof, volunteer fire departments or rescue squads which operate radio systems (including microwave) requiring an FCC license, and which employ those facilities exclusively for intra-governmental or inter-governmental public service, public safety or administrative purposes. |
| Green Space ³² | <p>Land required to be set aside under Section 5.7 Cluster Provisions and Section 5.18 Cluster Provisions, for the purpose of retaining active or passive farmland, wooded or forested areas, significant natural or environmentally sensitive features, historic structures and/or core battlefields, and parks. Green space may include open space as defined herein.</p> <p>Land indicated as green space in a cluster development shall be permitted to maintain one single family dwelling unit, and an accessory agricultural dwelling unit (if it meets the qualifications), and may be in private ownership or a homeowner's association.</p> |
| Grocery Store ²⁷ | An establishment in which most of the floor area is devoted to the sale of food products for home preparation and consumption, which typically also offer other home care and personal care products, and which carry a broader range of merchandise than convenience stores. |
| Grooming Services, Animal ³² | Any place or establishment, public or private, where animals are bathed, clipped, or combed for the purpose of enhancing their aesthetic value or health and for which a fee is charged. Such use may be considered accessory to a Kennel or Veterinary Clinic, and may be included in a Shopping Center. |
| Gross Floor Area ²⁷ | The sum of the total horizontal areas of every floor of every building on a lot. The measurement of gross floor area shall be computed as provided in the Jefferson County Subdivision and Land Development Regulations. |
| Group Residential Facility ²³ | A facility which is owned, leased or operated by a behavioral health service provider and which: (1) Provides residential services and super-vision for individuals who are developmentally disabled or behaviorally disabled; (2) is occupied as a residence by not more than eight individuals who are developmentally disabled and not more than three supervisors or is occupied as a residence by not more than twelve individuals who are behaviorally disabled and not more than three supervisors; (3) is licensed by the Department of Health and Human Resources; and (4) complies with the State Fire Commission for residential facilities. Per Chapter 17 of the West Virginia Code, as amended, a Group Residential Home shall be a permitted |

2. Uses permitted within the Protection Radius include Residential Uses as listed in Appendix C, barns, and residential accessory structures as defined by this Ordinance. Existing structures (which existed prior to the adoption of this text amendment) within the protection radius may be converted to a non-residential use in accordance with Appendices B & C and shall comply with applicable district regulations as required by Article 5.

Section 4.7 Essential Utility Equipment

Essential utility equipment, as defined in Section 2.2, shall be permitted in any district, as authorized and regulated by law and ordinances of Jefferson County, it being the intention hereof to exempt such essential utility equipment from the application of this Ordinance. Wireless telecommunication towers, however, shall conform to the requirements of Article 4B.^{7, 22}

Section 4.8 Buildable Lot

Any lot which was a buildable lot under the terms or regulations in effect at the time of the adoption of this ordinance and which was established or recorded at that time shall be deemed a buildable lot for the erection of a single-family dwelling, subject to the provisions of the appropriate district regulations of this Ordinance.

Section 4.9 Traffic Visibility Across Corner Lots

On any corner in all districts, there shall be no obstruction to traffic visibility within 35 feet of the intersection of the two street property lines of the corner lot. Site plan and subdivision applications must comply with the Intersection Design requirements of the Subdivision and Land Development Regulations.²³

Section 4.10 Site Plan Requirements³⁹

- A. Submittal and approval of a site plan is required for all commercial, townhouse and multi-family residential, industrial, and institutional development in any district and for all major additions or expansions of existing uses as defined in Article 2, in accordance with the requirements of the Subdivision and Land Development Regulations and this Ordinance.^{23, 26}
- B. Site plan submittal is not required for single-family, duplex, triplex, and quadplex dwelling units unless planned as part of a multi-unit or mixed use development plan.
- C. Site Plan submittal is not required for any Agricultural Use defined in Article 2. Agricultural Uses which are open to the public (Agricultural Special Event Facility, Farm Market, etc.) established on parcels of less than 20 acres shall process a Concept Plan in accordance with the Subdivision and Land Development Regulations.
- D. The site plan format and informational requirements that must be followed are referenced in the Jefferson County Subdivision and Land Development Regulations, and this Ordinance.²³
- E. The Planning Commission has the authority to waive any site plan standards in accordance with the Subdivision and Land Development Regulations.^{10, 17, 21, 23}

Section 4.11 Landscaping, Screening and Buffer Yard Requirements

Buffer yard requirements are as shown in Appendix A and B of this Ordinance, and are summarized in this section.²⁷

- A. Commercial Development²⁷
 1. All commercial development adjacent to any Residential district, or any lot with a residence, school, church, or institution of human care shall have a 50 foot or greater unscreened green space buffer or a 15 foot screened green space buffer along common property lines. The screening may be either vegetative or opaque fencing and may be placed anywhere within the buffer. No structures, materials, or vehicular parking shall be permitted within the side and rear yard buffers.

**ARTICLE 5: DISTRICT ESTABLISHMENT; ZONING MAPS; DISTRICT BOUNDARIES;
DISTRICT REGULATIONS**

Section 5.1 Establishment of Districts¹

For the purpose of this Ordinance, all land within the County, exclusive of the incorporated towns, is hereby designated as one of the following zoning districts:

| | |
|-----------|--|
| RG | Residential Growth District |
| I-C | Industrial-Commercial District |
| R | Rural (Agricultural) District |
| R-LI-C | Residential-Light Industrial-Commercial District |
| V | Village District ²³ |
| NC | Neighborhood Commercial ²⁷ |
| GC | General Commercial ²⁷ |
| HC | Highway Commercial ²⁷ |
| LI | Light Industrial ²⁷ |
| MI | Major Industrial ²⁷ |
| PND | Planned Neighborhood Development ²⁷ |
| OC | Office / Commercial Mixed-Use ²⁷ |
| <u>RR</u> | <u>Rural Residential</u> |

Section 5.2 Boundaries of Districts

Unless otherwise indicated on the zoning district maps, the boundary lines of the districts shall follow lot lines, centerlines of streets, alleys, corporate limit lines, or centerlines of waterways as existing at the time of the adoption of this Ordinance.

Section 5.3 District Maps

The districts shall be of the size and shape shown on the Jefferson County Zoning Maps and shall hereby be made a part of this ordinance. A copy of the said maps shall be signed by the County Commissioners upon the adoption of these regulations and recorded within the Courthouse.

The Jefferson County zoning layer is parcel-based, maintained in a Geographic Information System (GIS), and shall be the basis for the County's official zoning map. Within 30 days of final County Commission action on a zoning map amendment, GIS/Addressing staff will update the digital zoning layer and make the new data available online.²³

On an annual basis, in December, and within 30 days of final County Commission action on a zoning map amendment, a new zoning map will be printed which includes the most up to date base layer data, all approved zoning designations since the last printed map, and an effective date, certified by the President of the County Commission, filed with the County Clerk's office, and a copy provided to the Planning Commission. This annual map update shall not require a public hearing and such certification shall occur administratively.²³

Section 5.4 Residential Growth (RG) District

The Residential Growth District is intended to provide for a variety of residential uses and densities which can be supported by central or public water and sewer and adequate roadways and services. This district

Section 5.18 Rural Residential (RR) District

A. Purpose

The purpose of this district is to provide a location for low and medium density residential uses. Residential development in this district shall preserve the rural character of the County by encouraging clusters of residences, minimizing the use of prime agricultural land, and restricting commercial and industrial uses. This district is not generally served with public water or sewer facilities, however, lots that are served have different restrictions as specified in Appendix A.

B. Location

This zoning category is intended for use on properties:

1. Outside of the Preferred Growth Areas (PGAs) as shown on the Comprehensive Plan's Future Land Use Guide.
2. In rural lots intended to be subdivided into clustered residences.

C. Permitted Uses

1. Uses that are permitted, conditional, and not permitted in this district shall be as indicated in Appendix C, Principal Permitted and Conditional Uses Table.
2. Uses shown as conditional uses (CU) for this district in Appendix C, Principal Permitted and Conditional Uses Table shall be subject to review and approval by the Board of Zoning Appeals in accordance with Section 6.3 of this Ordinance.

D. Site Development Standards

Maximum number of lots allowed (density) shall be computed using acreage on record as of October 5, 1988. Any divisions which have occurred since that time shall be subtracted from the maximum number of lots allowed.

1. Clustering

a. Purpose and Intent

- i. To encourage the conservation of farmland in the Rural Zoning District by planning the residential development allowed in the Rural Residential District to provide for the best obtainable siting, access and location of lots on a tract while retaining a portion of the property as green space.
- ii. To provide for a well planned development while minimizing the use of prime agricultural land.

b. Lot Area, Setbacks and Other Requirements

- i. Setbacks, height, and other site development standards shall be as indicated in Appendix A, Residential Site Development Standards, and Appendix B, Non-Residential Site Development Standards, except as provided elsewhere in this Ordinance.
- ii. One (1) lot may be subdivided for every two and a half (2.5) acres.

- iii. A minimum of 50% of the property shall be retained as green space and shall contain no further development rights unless the property is placed in another zone or further subdivision is allowed by ordinance. A note to this effect shall be placed on all cluster subdivision plats.
- iv. The required green space shall be maintained on a single parcel of land.
- v. For every additional 5% green space preservation, the following sliding scale may be utilized:

| | |
|------------------------|-----------------------------|
| <u>55% green space</u> | <u>1 lot per 2.25 acres</u> |
| <u>60% green space</u> | <u>1 lot per 2 acres</u> |
| <u>65% green space</u> | <u>1 lot per 1.75 acres</u> |
| <u>70% green space</u> | <u>1 lot per 1.5 acres</u> |
| <u>75% green space</u> | <u>1 lot per 1.25 acres</u> |
- c. Minimum Lot Sizes
 - i. For single-family dwellings and duplex dwellings, minimum lot size shall be 40,000 square feet for lots that will be served by individual wells and septic systems; 20,000 square feet for lots that will be served by a central water OR central sewerage system; and 10,000 square feet for lots that will be served by both a central water AND central sewerage system.
 - ii. For triplex and quadplex dwellings, minimum lot size shall be 7,000 square feet for lots served by both a central water AND central sewerage system. A triplex or quadplex dwelling unit having two common walls with other triplex or quadplex dwelling units may have a reduced minimum lot size of 4,500 square feet.
- d. Maximum Lot Size
 - i. The maximum size of a lot served by central water AND sewer shall be 1 acre.
 - ii. The maximum size of a lot served by central water OR sewer shall be 2 acres.
 - iii. The maximum size of a lot not served by central water OR sewer shall be 2 acres.
- e. Setbacks shall be 25' front, 12' sides, and 20' rear.
- f. Clusters of three (3) or more lots shall not be along an existing public road.
- g. All cluster developments of five (5) or more lots shall be served by an internal road having direct access to a public road identified as a Major Collector or a Minor or Principal Arterial on the Comprehensive Plan's Highway Problem Areas Map.
- h. Procedures
 - i. Concept Plan. For the subdivision of tracts eligible for cluster lots, a concept plan must be submitted pursuant to the requirements of the Jefferson County Subdivision and Land Development Regulations.
 - ii. The Concept Plan for a proposed Cluster Development can be combined with the required submittal and process requirements for a Concept Plan for a Major Subdivision as outlined in the Subdivision Regulations, provided that the Concept Plan includes all requirements of

the Concept Plan in the Subdivision Regulations and includes the necessary soils and topographic data, together with a written narrative, required for the analysis listed below.

- iii. The Staff shall review and make a recommendation to the Planning Commission regarding the proposed design and layout of the proposed Cluster Development. Staff shall consider the following when reviewing the Cluster Concept Plan:
 1. Soils: The cluster plan should minimize the use of the higher quality soils (class I, II and III as designated in the soils classification study) and maximize the use of steeper sloped areas, areas of poorer soils and areas which are otherwise less productive for agricultural uses.
 2. Surrounding land use and zoning: The cluster plan shall consider the existing land uses and zoning in the vicinity. Generally, new lots which are adjacent to existing development or residential zoning are preferred to creating an isolated cluster of new houses.
- iv. If the concept plan is approved by the Planning Commission, the applicant may then proceed with platting of the clustered development in accordance with the Jefferson County Subdivision and Land Development Regulations and the approved concept plan. The plat shall bear a statement indicating “The land lies within an approved rural residential development and no further subdivision of the remaining land is permitted unless the property is placed in another zone or further subdivision is allowed by ordinance or regulation”.
2. If the development rights under Subsections 5.18D.1 above have not been utilized, any property that was a lot of record as of October 5, 1988 may create three (3) total lots (including the residue) during any five year period. Such application may process as a Minor Subdivision, in accordance with the Subdivision Regulations, and shall be exempt from density limitations provided that all subdivision requirements are satisfied. Applications which exceed this number during any five year period shall process under Subsection 5.18D.1 above. Only the residue or parent parcel may qualify under this provision once the original subdivision takes place. All lots that qualify under this section must meet subdivision requirements.

E. Additional Requirements

No structure shall exceed 25 feet in height except as provided in Section 9.2.

Section 6.2 Variances³²

The Board of Zoning Appeals shall consider requests for variances from the terms of the Ordinance.²³

- A. The Board shall approve a variance request if the Board finds that a variance:
 1. Will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents;
 2. Arises from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance;
 3. Would eliminate an unnecessary hardship and permit a reasonable use of the land; and
 4. Will allow the intent of the Zoning and Land Development Ordinance to be observed and substantial justice done.^{17, 21}
- B. The owner or authorized representative of the owner of the property which is the subject of a variance request shall complete and sign forms provided for this purpose by the Board, and shall pay the associated fees. The variance request shall be filed with the Board in the Office of Planning and Zoning.
- C. Notification for a variance must be conducted according to the requirements of Section 6.1B.
- D. A public hearing must be conducted according to the requirements of Section 6.1C and such hearing may be continued according to the requirements of Section 6.1D.

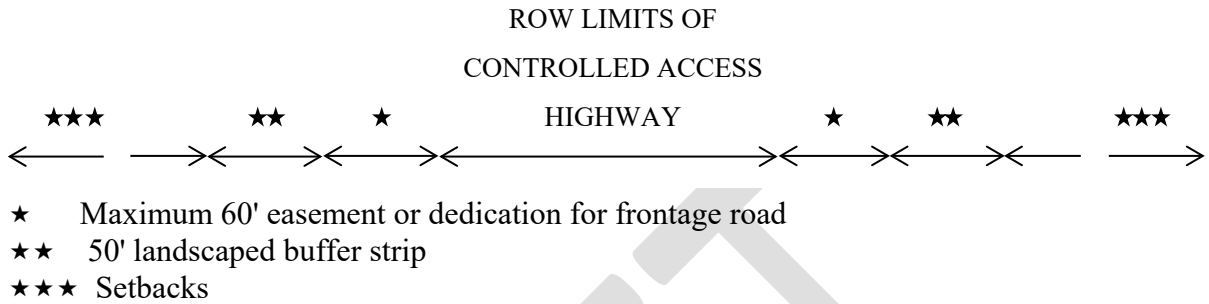
Section 6.3 Conditional Use Permit³²

The Board of Zoning Appeals shall have the authority over the issuance or denial of a conditional use permit for uses listed as “Conditional Uses (CU)” in each zoning district. The Board shall have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed conditional use permit.^{2, 32}

- A. The Board shall consider each Conditional Use Permit request that is filed in accordance with this Ordinance and the procedural requirements of the Board of Zoning Appeals. The Board may require reasonable conditions or special requirements which allows for the proper integration of the proposed uses into the community and are directly related to and incidental to the proposed conditional use permit. The following General Standards shall be considered in approving or denying the CUP:
 1. The proposed use is compatible with the goals of the adopted Comprehensive Plan.
 2. The proposed use is compatible in intensity and scale with the existing and potential land uses on the adjoining and confronting properties, and poses no threat to public health, safety and welfare.
 3. The proposed site development shall be such that the use will not hinder nor discourage the appropriate development and use of adjacent land and buildings.
 4. Neighborhood character and surrounding property values shall be safeguarded by requiring implementation of the landscaping buffer requirements found in Appendix B and Section 4.11 of this Ordinance.
 5. Commercial and Industrial Uses shall be in conformance with Section 8.9 of this Ordinance.
 6. For properties in the Rural [and Rural Residential](#) zoning districts, roadway adequacy shall be assessed by the Comprehensive Plan’s Highway Road Classification Map. If a rural [or rural residential parcel](#) is not shown as commercial on the Future Land Use Guide or does not front on a Principal Arterial, Minor Arterial, or Major Collector road (as identified in the Comprehensive Plan), the applicant shall submit trip generation data, including Average Daily and Peak Hour

A fifty (50) foot wide landscape buffer strip will be provided along all limited access highways. Said buffer shall be adjacent to the frontage road. In the case where existing roads not adjacent to controlled access highway serve as frontage road the landscape buffer may be placed against the highway right-of-way.

All front setbacks (building and parking lot) are to be measured from the landscape buffer. (See diagram)



This provision shall also apply to any ramps or access roads connecting to a controlled access highway within ½ mile of a controlled access highway.⁵

Section 8.10 Model Homes/Sales Offices²³

Model homes with a staffed sales office for sales exclusively within the residential subdivision in which they are located are permitted provided that they are contained on the first lot on either or both sides of any road/right-of-way that enters the subdivision; provided also that they are so designated on the preliminary and final plats during the subdivision process.

Model homes with a staffed sales office in any other location within the subdivision must be approved or denied by the Board of Zoning Appeals after a public hearing advertised for 15 days.^{17, 21}

Model homes without staffed sales offices are permitted internally within the subdivision.¹²

Section 8.11 Petroleum Products Refining or Storage²³

Petroleum refining or storage (above ground in tanks) requires adherence to all state and federal laws, as well as National Fire Underwriters Codes.

Section 8.12 West Virginia Legal Fireworks²³

Sales of fireworks are permitted in the Industrial-Commercial, Residential-Light Industrial-Commercial, General Commercial, Highway Commercial, Highway Commercial, Light Industrial, and Major Industrial zoning districts provided all other restrictions such as setbacks and the requirements of the Jefferson County Subdivision and Land Development Regulations are met.^{8, 27}

Section 8.13 Dormitory²³

A dormitory shall be located on the same property or campus as the use it is intended to serve. A dormitory shall not offer accommodations to the general public or to persons who are visiting the property or campus primarily for the purpose of being a spectator at a sporting event or other gathering held at the facility. A dormitory may include one common kitchen or dining facility and common gathering rooms for social purposes for use only by its temporary occupants.

Section 8.14 Special Event Facilities³⁹

The purpose of this sections is to create a process by which a property owner in the Rural, [Rural Residential](#), Residential Growth, and Village zoning districts may establish a Special Event Facility. A Special Event Facility in any other zoning district may process in accordance with Appendix C.

ARTICLE 9: EXCEPTIONS

Section 9.1 General

The regulations specified in this ordinance shall be subject to the following exceptions, modifications and interpretations.

Section 9.2 Building Height Limitations

Building height limitations shall not apply for public utilities, agricultural uses, communication poles and towers, chimneys, steeples, water tanks, electric generating plants, electric transforming or switching equipment, flagpoles, fire or observation towers, monuments, or to tanks, ventilating fans, air conditioning equipment or similar equipment required to operate and maintain the building, hospitals, schools, colleges and public buildings. Commercial wireless communications facilities shall comply with Article 4B.^{7, 10, 22}

Section 9.3 Lot Area Modification

In any district where a single-family dwelling is permitted, a dwelling may be erected on any lot or parcel of record, despite the fact that the lot or parcel does not meet the minimum area requirements of this Ordinance, provided:

- A. The lot or parcel was lawfully created in compliance with the applicable subdivision regulations in effect at the time the lot was created; and²³
- B. Health Department regulations can be met.

Section 9.4 Setback Modifications

- A. Where the average setback line of at least two (2) existing buildings on lots which are on the same side of the street or road within 200 feet of the lot in question is less than the minimum setback prescribed by this ordinance, the minimum setback line shall be the average setback line of all buildings within 200 feet of the proposed building. However, in no case shall the setback line be less than 35 feet from the centerline of any abutting road or street.
- B. A structure may be located on a common side or rear lot line of contiguous property owned by the same entity. Provided, however, that the structure shall only be a single family dwelling or an accessory structure. Also provided, however, that the contiguous lots shall be treated as one lot for all purposes by the Zoning and Land Development Ordinance and the Subdivision and Land Development Regulations.^{5, 23}
- C. Subdivision signs, school bus shelters and/or mailboxes do not have to comply with setback restrictions provided they are shown and approved on the preliminary or final plat in the subdivision process. In subdivisions approved prior to this amendment, subdivision signs, school bus shelters and/or mailboxes can be built as shown on the plat or be replaced in the same general location.^{12, 23}

Section 9.5 Projections Into Yards⁸

- A. Projections such as bay windows, chimneys, entrances, uncovered porches, balconies, and eaves may extend into any required yard not more than four feet; provided that such projections are not over ten feet in width. All roof overhangs may extend into any required yard not more than two feet; provided that the primary structure is located entirely within the appropriate setback.²³
- B. Fences and walls over six feet in height shall meet building lines and yard requirements. A building permit is required before construction. Fences and walls six feet and under in height shall be exempt from building lines and yard requirements unless obstructions to vision at an intersection as referenced in Section 4.9.²³
- C. In the [Rural Residential](#), Residential - Light Industrial - Commercial District and Residential Growth District, on [triplex, quadplex, and](#) townhouse lots with a lot depth of 110 linear feet or less

C. Electronic Signs

Electronic signs located in the Rural, [Rural Residential](#), Residential Growth, and Village zoning districts shall require a Special Exception Permit unless included as part of a Conditional Use Permit application per Section 10.6. Electronic signs shall conform to the criteria outlined in Section 10.7.

Section 10.6 Conditional Use Permit (CUP) Signs³⁶

Signs associated with a Conditional Use Permit application shall be assessed by the Board of Zoning Appeals as part of the CUP process per Section 6.3. Any deviation from the provisions of this section shall require consideration and approval by the Board as part of the CUP application. Signs approved by the Board shall adhere to the following:

- A. There shall be a minimum of 300 feet between signs when located in the commercial/industrial zoning districts.
- B. There shall be a minimum of 1,000 feet between signs when located in the rural/residential zoning districts; however, a minimum of 300 feet between signs may be permitted provided the adjacent land use is a commercial/industrial land use.
- C. Signs shall comply with the front yard setback provisions in the districts in which they are permitted.
- D. In addition to the provisions herein, electronic signs accessory to a CUP application shall conform to the criteria outlined in Section 10.7.

Section 10.7 Electronic Signs³⁶

Electronic Signs are permitted in any commercial and/or industrial district. Electronic Signs located in the Rural, [Rural Residential](#), Residential Growth, and Village zoning districts shall process as a Special Exception before the Board of Zoning Appeals per Section 6.5. Any electronic sign accessory to a Conditional Use Permit application shall comply with Section 10.6 and the criteria outlined in this section. When permitted, Electronic Signs shall conform to the following criteria:

- A. The message or image shall be static, displayed for a minimum of 15 seconds and shall not be animated by scrolling, flashing, or other similar non-static displays.
- B. The message or image change shall occur simultaneously for the entire electronic sign face without any special effects. The time to complete the change from one message to the next is a maximum of one second.
- C. Electronic signs shall contain a default mechanism that will cause the sign to revert immediately to a black screen if a malfunction occurs.
- D. An electronic sign may not be animated, play video or audio messages, or blink in any manner.
- E. Electronic signs shall not exceed a maximum illumination of 3,000 nits during daylight hours and a maximum of 100 nits for the time period between ½ hour before sunset and ½ hour after sunrise as measured from the sign's face at maximum brightness.
 1. The applicant shall provide written certification from the sign manufacturer that the light intensity has been factory preset not to exceed the levels specified above, and the intensity level is protected from end-user manipulation by password protected software or other appropriate methods.
 2. The change from 3,000 nits to 100 nits shall be controlled by an automatic dimmer control system.
- F. There shall be only one electronic sign on each parcel of land. Off-premises electronic signs shall be subject to Section 10.5A.

1. Community announcements, emergency alerts, weather, and time related messages are generally permitted and shall not be considered an off-premises sign.
- G. Electronic Signs shall not be located within 300 feet of a traffic light.
- H. Electronic signs shall not be located within 200 feet of the property line of a parcel with a residential structure. This setback does not apply to mixed-use buildings or residential structures located on the same parcel as a commercial development.
- I. Electronic signs proposed to locate adjacent to a lot in the Rural, [Rural Residential](#), Residential Growth, or Village zoning districts, or adjacent to residential structures in any zoning district, shall be oriented perpendicular to residential frontages. Electronic signs shall not be parallel to any residential structures in any zoning district.
- J. Electronic signs adjacent to lots in the Rural, [Rural Residential](#), Residential Growth, and Village zoning districts shall automatically shut-off by 10:00 p.m. and shall not turn on until 6:00 a.m.

Electronic signs shall be FCC certified as required by Federal Law. A valid copy of the FCC Manufacturers Testing Certificate shall be submitted to the Office of Planning and Zoning as part of the Zoning Certificate application.

Section 11.2 Residential Parking Standards²

To decrease congestion, permanent off-street automobile parking space and truck loading space shall be provided for all new structures and uses, and for existing structures or uses that are increased in size by 20 percent or more after adoption of these regulations.²³

Spaces shall be required per residential uses as follows:

| <u>Type of Residences</u> | <u>Parking Requirements</u> |
|---|--|
| Single Family Detached | Driveway Only |
| Single Family Attached (Duplex, Triplex , Quadplex or Two-Family) | Driveway Only ²³ |
| Single Family Attached (Townhouse) | See the Jefferson County Subdivision and Land Development Regulations, Appendix B, Division 5.0 ²³ |
| Multi-Family | See the Jefferson County Subdivision and Land Development Regulations, Appendix B, Division 6.0 ²³ |

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APPENDIX A: RESIDENTIAL SITE DEVELOPMENT STANDARDS TABLE^{27, 32, 42}

| Zoning District | Land use | Land Use Subtype | Min Lot Area (MLA) sq. ft.*** | Area per Dwelling Unit (ADU) sq. ft. | Min Lot Width | Max Building Height* | Setbacks | | | | Parking/ Drive Aisle Setbacks | Screened Buffers Sec. 4.11 |
|---|---|--|-----------------------------------|--------------------------------------|---------------------|----------------------|--------------------|----------------------|-------------------|--------------------|-------------------------------|----------------------------|
| | | | | | | | Front | Side | Street Side | Rear | | |
| Residential Growth (RG) | Single Family Detached Dwelling | Public/Central water and sewer | 6,000 | 10,000 | N/A | 40 | 25 | 12 | 15 | 20 | N/A | N/A |
| | | Public/Central water or sewer | 20,000 | N/A | N/A | " | " | " | " | " | | |
| | | No Public/Central water or sewer | 40,000 | N/A | N/A | " | " | " | " | " | | |
| | Small Lot Single-Family Detached Dwelling | Public/Central water and sewer | 3,200 | 7,500 | 35 | 40 | 20**** | 5 | 10 | 20 | | |
| | Duplex, Triplex, Quadplex Dwelling Unit | Public/Central water and sewer | 3,200 | 7,500 | N/A | 40 | 25 | 15** | 15 | 20 | | |
| | | Public/Central water or sewer | N/A | 10,000 | N/A | " | " | " | " | " | | |
| | Townhouse Dwelling ⁴² | Public/Central water and sewer | 1,400 | 3,500 | N/A | 40 | 25 | 12** | 15 | 20 | | |
| | Multi-Family Dwelling (See Section 4.12) | Public/Central water and sewer | 20,000 | 2,000 | N/A | 40 | 25 | 12** | 15 | 30 | | |
| Single-Family Dwelling with setbacks not previously stipulated by Planning Commission | Over 40,000 sq. ft. | N/A | N/A | N/A | 40 | 25 | 12 | ‡ | 12 | N/A | N/A | |
| | 30,000 sq. ft. to 40,000 sq. ft. | N/A | N/A | N/A | 40 | 20 | 10 | ‡ | 12 | | | |
| | Under 30,000 sq. ft. | N/A | N/A | N/A | 40 | 20 | 8 | ‡ | 12 | | | |
| Rural (R) (See Sec. 5.7) | Dwellings | | 40,000 | N/A | 100 | 45 | 40 | 15 | ‡ | 50 | N/A | N/A |
| | Single-Family Dwelling with setbacks not previously stipulated by Planning Commission | Over 2 acres | N/A | N/A | N/A | 45 | 40 | 15 | ‡ | 50 | | |
| | | 40,000 sq. ft. to 2 acres | N/A | N/A | N/A | 45 | 25 | 12 | ‡ | 12 | | |
| | | 30,000 sq. ft. to 39,999 sq. ft. | N/A | N/A | N/A | 45 | 20 | 10 | ‡ | 12 | | |
| | | Under 30,000 sq. ft. | N/A | N/A | N/A | 45 | 20 | 8 | ‡ | 12 | | |
| Cluster Subdivision | See RG District | | | | | | | | | | | |
| Rural Residential (RR) | Single-Family or Duplex Dwelling Unit | Public/Central water and sewer | 10,000 | N/A | N/A | 25 | 25 | 12 | ‡ | 20 | N/A | N/A |
| | | Public/Central water or sewer | 20,000 | N/A | N/A | - | - | - | ‡ | - | N/A | N/A |
| | | No Public/Central water or sewer | 40,000 | N/A | N/A | - | - | - | ‡ | - | N/A | N/A |
| | Triplex, Quadplex Dwelling Units | Public/Central water and sewer | 7,000^Ω | N/A | N/A | 25 | 25 | 12** | ‡ | 12 | N/A | N/A |
| Village (V) | Residential uses | See RG District | | | | | | | | | | |
| Residential-Light Industrial-Commercial (RLIC) | Residential uses | See RG District ^ϕ | | | | | | | | | | |
| Industrial-Commercial (IC) | Residential uses | See Rural setbacks for lots not previously stipulated by the Planning Commission. | | | | | | | | | | |
| Neighborhood Commercial (NC) | Residential uses | See RG District | | | | | | | | | | |
| General Commercial (GC) | Residential uses | See RG District | | | | | | | | | | |
| Highway Commercial (HC) | Residential uses | N/A | | | | | | | | | | |
| Light Industrial (LI) | Residential uses | N/A | | | | | | | | | | |
| Major Industrial (MI) | Residential uses | N/A | | | | | | | | | | |
| Office / Commercial Mixed Use (OC) | Residential uses | See RG District | | | | | | | | | | |
| Planned Neighborhood Development (PND) | Residential uses | See RG District. Note: Planning Commission may amend development standards for developments in the PND District (see Article 5). | | | | | | | | | | |

The requirements in this table are in addition to any other applicable requirements in the text of this Ordinance. In the event of a conflict with the text, this table shall prevail.

For all lots approved prior to Sept. 1, 1989, lots under 40,000 sq. ft. side & rear setbacks for residential accessory structures shall be 6'. NOTE: In RG district side & rear setbacks for accessory structures under 144 sq. ft. shall be 6'.

See Article 8 of the Zoning and Land Development Ordinance for building setbacks for certain land uses. All dimensions are in feet unless otherwise indicated.

ϕ In the RR, RLIC and RG districts, [triplex, quadplex, and](#) townhouse lots with a lot depth of 110 linear feet or less and/or a lot area of 3,500 square feet or less, the rear setback of a deck ~~for a townhouse~~ may be reduced to 10', if the adjacent property located to the rear of the subject lot is a dedicated easement or common area and is not a lot that includes a residence.

‡ See setback requirements noted in Sec. 2.2, definition of "Lot, Corner."

Ω [A triplex or quadplex dwelling unit having two common walls with other triplex or quadplex dwelling units may have a reduced minimum lot size of 4,500 sq. ft.](#)

* Maximum height subject to Section 9.2C

** Exterior side only.

*** The balance square footage between the ADU and the MLA shall not include land set aside in a Sensitive Natural Area, Buffer to a Sensitive Natural Area, land qualifying as Hillside development or a 100 Year Flood Plain.

**** The front setback for a Small lot single-family detached dwelling may be reduced to 10' if the front yard does not contain a driveway.

APPENDIX B: NON RESIDENTIAL SITE DEVELOPMENT STANDARDS TABLE^{27, 32, 35}

| Zoning District | Development Type [ⓐ] | Min Lot Area (MLA) | Min Lot Width | Max Building Height* | Imper-vious Surface Limit | Building Setbacks | | Parking/ Drive Aisle Setbacks | | | Buffers (Sec. 4.11) (Screened / Unscreened) Adjacent Use | | | | | | |
|--|---|--|---|----------------------|---------------------------|--|-----------------|--|--------------------------------------|------|---|--------------------------|---|----------------|-------|----------------|-------|
| | | | | | | | | | | | A Residential district, or any lot with a residence, school, church, or institution of human care (Distance per Sec. 4.6) | | | Commercial Use | | Industrial Use | |
| | | | | | | Front | Side | Rear | Front | Side | Rear | Distance Front Side Rear | Front | Side & Rear | Front | Side & Rear | Front |
| Industrial – Commercial (IC)** | Commercial sites 1.5 acres and smaller | N/A | N/A | 75 | 80% | 25 | | 15 | 4 | 4 | 75 | Street Trees | Narrow Buffer Detail No. M-54 | N/A | 10(S) | N/A | 10(S) |
| | Commercial sites greater than 1.5 acres | N/A | N/A | 75 | 80% | 25 | | 15 | 10 | 10 | 75 | Street Trees | Medium Buffer Detail No M-53 | N/A | 10(S) | N/A | 10(S) |
| | Industrial | 3 ac*** | N/A | 75 | 90% | 50 or 25 if adjacent to Industrial Use | | 25 or 20 if adjacent to Industrial Use | | | 200 | Street Trees | Wide Buffer Detail No. M-52 | 25(S) | 20(S) | N/A | 20(S) |
| Residential-Light Industrial-Commercial (RLIC) | Commercial or Industrial | N/A | N/A | 75 | 80% | See IC District | | | | | | | | | | | |
| Rural (R) | Churches | 2 acres | 200 | 45 | N/A | 25 | 50 | 50 | See IC District for commercial sites | | | N/A | 50(U) or 15 (S) | N/A | 10(S) | N/A | 10(S) |
| | Schools, Grades K-12 | K-4: 10 ac+ 5-8: 20 ac+ 9-12: 30 ac+ | 500 | 45 | N/A | 100 | | N/A | | | | N/A | N/A | N/A | N/A | N/A | |
| | Hospitals | 10 ac | 500 | 45 | N/A | 100 | | N/A | | | | N/A | N/A | N/A | N/A | N/A | |
| | Other Rural principal permitted uses | 40,000 | 100 | 45 | N/A | 40 | 50 | 50 | | | | N/A | See I-C District for commercial or industrial use; Otherwise, N/A | | | | |
| | Commercial or Industrial** | See IC District | | | | | | | | | | | | | | | |
| Rural Residential (RR) | Commercial or Industrial** | See NC District | | | | | | | | | | | | | | | |
| Village (V) | Commercial [¥] | N/A | N/A | 35 | N/A | 25 | 10 | 40 | See IC District | | | | | | | | |
| | Industrial** | See IC District | | | 35 | See IC District | | | | | | | | | | | |
| Residential Growth (RG) | Commercial or Industrial** | See IC District | | | 35 | See IC District | | | | | | | | | | | |
| Neighborhood Commercial (NC) | Commercial | N/A | N/A | 35 | 70% | 15 min 25 max | 10 [£] | 10 ^⓪ | See I-C District | 25 | See IC District | | | | | | |
| General Commercial (GC) | Commercial | N/A | N/A | 75 | 80% | 20 | 10 | 25 | See IC District | | | | | | | | |
| Highway Commercial (HC) | Commercial | N/A | N/A | 75 | 80% | 25 | 25 | 25 | | | | | | | | | |
| Light Industrial (LI) | Commercial or Industrial | N/A | N/A | 75 | 80% | 25 | 25 | 25 | | | | | | | | | |
| Major Industrial (MI) | Commercial | N/A | N/A | 75 | 90% | 25 | 10 | 50 | | | | | | | | | |
| | Industrial | 3 ac*** | N/A | 75 | 90% | 25 | 50 | 50 | | | | | | | | | |
| Office/Commercial Mixed Use (OC) | Commercial | N/A | N/A | 75 | 80% | 15 min 25 max | 10 [£] | 10 ^⓪ | See IC District | | | | | | | | |
| Planned Neighborhood Development (PND) | Commercial | 3 acres | See GC District Note: Planning Commission may amend development standards for developments in the PND District (see Article 5). | | | | | | | | | | | | | | |

The requirements in this table are in addition to any other applicable requirements in the text of this Ordinance. In the event of a conflict with the text, this table shall prevail.

All dimensions are in feet unless otherwise indicated by "ac" (acres).

* Maximum building height is subject to Sec. 9.2.

** If land use(s) approved via the Conditional Use process in accordance with this Ordinance.

*** MLA for Industrial uses does not apply if the site is located in an approved Industrial Park [Source: Sec. 5.6E]

**** Schools in Rural district: Plus one (1) additional acre for every 100 pupils. Minimum lot size for Vocational Schools shall be based on State of West Virginia Code. If a sewer treatment plant and retention ponds are required, acreage shall be increased accordingly.

¥ Non-Residential Site Development in an existing structure in the Village District shall comply with Section 5.10A.2.

‡ Setback may be reduced if adjacent to industrial use.

⓪ For an industrial use, no structures, stored materials, or vehicular parking shall be permitted within the buffer yard. For a commercial use, no structures, materials, or vehicular parking shall be permitted within the side and rear yard buffers.

⓪ A rear yard setback may be reduced to 10' for a non-residential use abutting a commercial or industrial use at a rear lot line

ⓐ Churches in any district: (1) are treated as a commercial use on a lot of greater than 1.5 acres in determining buffer requirements and parking/drive aisle setbacks; (2) building setbacks are 25' (front) and 50' (side/rear); and (3) distance requirements do not apply.

£ For a non-residential use abutting a commercial or industrial use, no side yard setback is required, unless required by Building Code or other law or regulation.

APPENDIX C: PRINCIPAL PERMITTED AND CONDITIONAL USES TABLE^{23, 29, 32, 33, 35, 37, 39, 43}

| Land Use | NC | GC | HC | LI | MI | PND ¹ | OC | R | <u>RR</u> | RG | RLIC | IC | V | Additional Standards |
|---|-----------|-----------|-----------|-----------|-----------|------------------------|-----------|-----------|------------------|-----------|-------------|-----------|-----------|-----------------------------|
| Residential Uses | | | | | | | | | | | | | | |
| Accessory Agricultural Dwelling Unit | P | P | P | P | P | P | P | P | <u>P</u> | P | P | P | P | Sec. 8.15 |
| Dwelling, Single Family | CU | NP | NP | NP | NP | P | NP | P | <u>P</u> | P | P | NP | P | |
| Dwelling, Single Family, Small Lot | CU | NP | NP | NP | NP | P | NP | NP | <u>NP</u> | P | P | NP | P | |
| Dwelling, Two Family | CU | NP | NP | NP | NP | P | NP | P | <u>P</u> | P | P | NP | P | |
| Dwelling, Duplex | CU | NP | NP | NP | NP | P | NP | NP | <u>P</u> | P | P | NP | P | |
| <u>Dwelling, Triplex</u> | <u>CU</u> | <u>NP</u> | <u>NP</u> | <u>NP</u> | <u>NP</u> | <u>P</u> | <u>CU</u> | <u>NP</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>NP</u> | <u>CU</u> | |
| <u>Dwelling, Quadplex</u> | <u>CU</u> | <u>NP</u> | <u>NP</u> | <u>NP</u> | <u>NP</u> | <u>P</u> | <u>CU</u> | <u>NP</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>NP</u> | <u>CU</u> | |
| Dwelling, Townhouse | CU | NP | NP | NP | NP | P | P | NP | <u>NP</u> | P | P | NP | CU | |
| Dwelling, Multi-Family | CU | NP | NP | NP | NP | P | P | NP | <u>NP</u> | P | P | NP | CU | |
| Day Care Center, Small | P | NP | NP | NP | NP | P | NP | P | <u>P</u> | P | P | P | P | |
| In-Law Suite | NP | NP | NP | NP | NP | P | NP | P | <u>P</u> | P | P | NP | P | Sec. 8.15 |
| Mixed Use Building | P | NP | NP | NP | NP | P | P | NP | <u>NP</u> | CU | P | NP | P | |
| Mobile Home Park | NP | NP | NP | NP | NP | NP | NP | NP | <u>P</u> | P | P | NP | NP | |
| Model Homes/Sales Office | P | CU | NP | NP | NP | P | NP | P | <u>CU</u> | P | P | NP | NP | Sec. 8.10 |
| Home Uses | | | | | | | | | | | | | | |
| Home Occupation, Level 1 | P | NP | NP | NP | NP | P | P | P | <u>P</u> | P | P | P | P | Art. 4A |
| Home Occupation, Level 2 | P | NP | NP | NP | NP | P | P | P | <u>P</u> | P | P | P | P | Art. 4A |
| Cottage Industry | P | NP | NP | NP | NP | P | NP | P | <u>P</u> | P | P | P | P | Art. 4A |
| Institutional Uses | | | | | | | | | | | | | | |
| Airport | NP | NP | NP | P | P | NP | NP | CU | <u>NP</u> | NP | CU | CU | NP | |
| Airfield, Private/Helipad | NP | NP | NP | NP | NP | NP | NP | CU | <u>NP</u> | NP | CU | CU | NP | |
| Church ³⁸ | P | P | P | P | CU | P | P | P | <u>CU</u> | P | P | CU | P | |
| Convention Center | NP | P | P | P | CU | P | P | CU | <u>NP</u> | CU | P | CU | NP | |
| Cultural Facility | P | P | P | P | CU | P | P | P | <u>P</u> | P | P | P | P | |
| Day Care Center, Large | P | P | P | P | CU | P | P | CU | <u>CU</u> | P | P | P | CU | |
| Electric Vehicle Charging Station | P | P | P | P | P | P | P | CU | <u>CU</u> | CU | P | P | CU | |
| Elementary or Secondary School | P | P | CU | CU | NP | P | P | P | <u>P</u> | P | P | NP | CU | |
| Essential Utility Equipment | P | P | P | P | P | P | P | P | <u>P</u> | P | P | P | P | Sec. 4.7 |
| Group Residential Facility | P | P | P | NP | NP | P | CU | P | <u>P</u> | P | P | NP | P | |
| Group Residential Home | P | P | P | NP | NP | P | CU | P | <u>P</u> | P | P | NP | P | |
| Heliport | NP | CU | CU | P | P | CU | CU | NP | <u>NP</u> | NP | CU | CU | NP | |
| Hospital | NP | P | P | P | CU | P | P | P | <u>NP</u> | P | P | NP | NP | |
| Nature Center and Preserve | NP | NP | NP | NP | NP | P | NP | P | <u>CU</u> | CU | P | NP | P | |
| Nursing or Retirement Home | CU | P | P | P | NP | P | P | CU | <u>CU</u> | P | P | NP | CU | |
| Park | P | P | P | P | NP | P | P | P | <u>P</u> | P | P | NP | P | |
| Performing Arts Theater | P | P | P | P | P | P | P | CU | <u>CU</u> | CU | P | P | CU | |
| Preschool | P | P | CU | CU | CU | P | P | P | <u>P</u> | P | P | NP | CU | |
| Public Safety Facility | P | P | P | P | P | P | P | P | <u>P</u> | P | P | P | P | |
| Publicly Owned Facility | P | P | P | P | P | P | P | P | <u>P</u> | P | P | P | CU | |
| Recycling Drop-Off Center | CU | P | P | P | P | P | P | NP | <u>NP</u> | NP | P | P | NP | |
| Residential Care Home | P | P | P | NP | NP | P | CU | P | <u>P</u> | P | P | NP | P | |
| School, College or University | NP | P | P | P | NP | P | P | CU | <u>CU</u> | CU | P | NP | NP | |
| School, Vocational or Professional | NP | P | P | P | NP | P | P | CU | <u>CU</u> | CU | P | P | NP | |
| Vocational and Training Facility for Adults | P | P | P | P | P | P | P | P | <u>NP</u> | P | P | NP | NP | |
| Land Use | NC | GC | HC | LI | MI | PND¹ | OC | R | <u>RR</u> | RG | RLIC | IC | V | Additional Standards |

| | | | | | | | | | | | | | | |
|--|-----------|-----------|-----------|-----------|-----------------|------------------------|-----------|----------|-----------|-----------|-------------|-----------------|----------|-----------------------------|
| Industrial | | | | | | | | | | | | | | Sec. 8.9 |
| Heavy Equipment Repair | NP | NP | CU | CU | P | NP | NP | NP | <u>NP</u> | NP | NP | P | NP | |
| Heavy Industrial Uses | NP | NP | NP | NP | P | NP | NP | NP | <u>NP</u> | NP | NP | P | NP | Sec. 8.9 |
| Light Industrial Uses | NP | NP | NP | P | P | NP | NP | NP | <u>NP</u> | ** NP | P | P | NP | Sec. 8.9 |
| Manufacturing, Heavy | NP | NP | NP | CU | P | NP | NP | NP | <u>NP</u> | NP | NP | P | NP | |
| Manufacturing, Limited | NP | P | P | P | P | CU | NP | NP | <u>NP</u> | NP | P | P | NP | |
| Printing and Publishing | NP | P | P | P | P | P | P | NP | <u>NP</u> | NP | P | P | NP | |
| Salvage Yards | NP | NP | NP | NP | CU ² | NP | NP | NP | <u>NP</u> | NP | NP | CU ² | NP | Sec. 4.4L |
| Shooting Range, Indoor | NP | CU | CU | P | P | NP | NP | CU | <u>NP</u> | NP | CU | P | NP | |
| Shooting Range, Outdoor | NP | NP | NP | CU | CU | NP | NP | CU | <u>NP</u> | NP | NP | CU | NP | |
| Slaughterhouses, Stockyards | NP | NP | NP | NP | CU | NP | NP | CU | <u>NP</u> | NP | NP | CU | NP | |
| Transportation Terminal | NP | P | P | P | P | P | P | NP | <u>NP</u> | NP | CU | P | NP | |
| Vehicle Storage | NP | NP | NP | P | P | NP | NP | NP | <u>NP</u> | NP | NP | P | NP | |
| Warehousing and Distribution, General | NP | NP | NP | CU | P | NP | NP | NP | <u>NP</u> | NP | CU | P | NP | |
| Warehousing and Distribution, Limited | NP | P | P | P | P | CU | P | NP | <u>NP</u> | NP | P | P | NP | |
| Industrial Manufacturing & Processing | | | | | | | | | | | | | | Sec. 8.9 |
| Acid or heavy chemical manufacturer, processing or storage | NP | NP | NP | NP | CU | NP | NP | NP | <u>NP</u> | NP | NP | CU | NP | |
| Bituminous concrete mixing and recycling plants | NP | NP | NP | NP | CU | NP | NP | NP | <u>NP</u> | NP | NP | CU | NP | |
| Cement or Lime Manufacture | NP | NP | NP | NP | CU | NP | NP | NP | <u>NP</u> | NP | NP | CU | NP | |
| Commercial Sawmills | NP | NP | NP | NP | CU | NP | NP | NP | <u>NP</u> | NP | NP | CU | NP | |
| Concrete and ceramic products manufacture, including ready mixed concrete plants | NP | NP | NP | NP | CU | NP | NP | NP | <u>NP</u> | NP | NP | CU | NP | |
| Explosive manufacture or storage | NP | NP | NP | NP | CU | NP | NP | NP | <u>NP</u> | NP | NP | CU | NP | |
| Foundries and/or casting facilities | NP | NP | NP | NP | CU | NP | NP | NP | <u>NP</u> | NP | NP | CU | NP | |
| Jails and Prisons | NP | NP | NP | NP | CU | NP | NP | NP | <u>NP</u> | NP | NP | CU | NP | Sec. 8.7 |
| Mineral extraction, mineral processing | NP | NP | NP | NP | CU | NP | NP | NP | <u>NP</u> | NP | NP | CU | NP | |
| Petroleum products refining or storage | NP | NP | NP | NP | CU | NP | NP | NP | <u>NP</u> | NP | NP | CU | NP | Sec. 8.11 |
| Adult Uses | | | | | | | | | | | | | | |
| Adult Uses | NP | NP | NP | NP | NP | NP | NP | NP | <u>NP</u> | NP | NP | P | NP | Sec. 4.4K, Sec. 8.1 |
| Recreational Uses | | | | | | | | | | | | | | |
| Hunting, Shooting, Archery and Fishing Clubs, public or private | NP | NP | NP | CU | CU | NP | NP | P | <u>NP</u> | NP | NP | NP | NP | Sec. 8.8 |
| Commercial Uses | | | | | | | | | | | | | | Sec. 8.9 |
| Antique Shop | P | P | P | P | NP | P | NP | CU | <u>CU</u> | CU | P | P | P | |
| Appliance Sales | NP | P | P | P | CU | P | NP | CU | <u>NP</u> | CU | P | P | NP | |
| Art Gallery or Artist Studio | P | P | P | P | NP | P | P | CU | <u>CU</u> | CU | P | P | P | |
| ATM | P | P | P | P | NP | P | P | CU | <u>CU</u> | CU | P | P | CU | |
| Automobile repair, sales and service | NP | P | P | P | P | P | NP | CU | <u>CU</u> | CU | P | P | CU | |
| Automobile parts, supplies and tire stores | NP | P | P | P | P | P | NP | CU | <u>CU</u> | CU | P | P | CU | |
| Automobile, light truck and light trailer rentals, indoor | P | P | P | P | P | P | NP | CU | <u>CU</u> | CU | P | P | CU | |
| Automobile, light truck and light trailer rentals, outdoor | NP | P | P | P | P | P | NP | CU | <u>CU</u> | CU | P | P | CU | |
| Bail Bond Services | NP | P | P | P | CU | NP | NP | CU | <u>CU</u> | CU | CU | P | CU | |
| Bank | P | P | P | P | CU | P | P | CU | <u>CU</u> | CU | P | P | P | |
| Bank with Drive-Through Facility | CU | P | P | P | CU | P | P | CU | <u>CU</u> | CU | P | P | CU | |
| Land Use | NC | GC | HC | LI | MI | PND¹ | OC | R | RR | RG | RLIC | IC | V | Additional Standards |
| Commercial Uses continued | | | | | | | | | | | | | | Sec. 8.9 |
| Bar | P | P | P | P | NP | P | P | NP | <u>NP</u> | NP | P | P | CU | |
| Barber/Beauty Shop, Limited | P | P | P | P | NP | P | P | CU | <u>CU</u> | CU | P | P | P | |
| Bed and Breakfast | P | NP | NP | NP | NP | P | NP | P | <u>P</u> | CU | P | NP | P | Sec. 8.3 |

| | | | | | | | | | | | | | | |
|--|-----------|-----------|-----------|-----------|-----------|------------------------|-----------|----------|---------------------------|-----------|-------------|-----------|----------|-----------------------------|
| Brewpub | P | P | P | P | NP | P | P | CU | CU | CU | P | P | CU | Sec. 8.5 |
| Business Equipment Sales and Service | CU | P | P | P | CU | P | P | CU | CU | CU | P | P | CU | |
| Building Maintenance Services | CU | P | P | P | P | P | P | CU | CU | CU | P | P | CU | |
| Building Materials and Supplies | NP | P | P | P | P | P | NP | CU | NP | CU | P | P | CU | |
| Campground ³¹ | CU | P | NP | NP | NP | P | NP | P | CU | CU | P | P | CU | Sec. 8.17 |
| Car Wash | NP | P | P | P | CU | P | P | CU | CU | CU | P | P | CU | |
| Commercial Blood Plasma Center | NP | P | P | P | NP | CU | CU | CU | CU | CU | CU | P | CU | |
| Commercial Uses | NP | NP | NP | NP | NP | NP | NP | NP | NP | ** | P | P | CU | Sec. 8.9 |
| Contractor with No Outdoor Storage | P | P | P | P | P | P | P | CU | CU | CU | P | P | CU | |
| Contractor with Outdoor Storage | NP | P | P | P | P | P | NP | CU | NP | CU | P | P | CU | |
| Convenience Store | CU | P | P | P | CU | P | NP | CU | CU | CU | CU | P | CU | Sec. 5.8C (RLIC only) |
| Convenience Store, Limited | P | P | P | P | CU | P | P | CU | CU | CU | P | P | CU | |
| Country Inn | P | P | P | P | NP | P | P | CU | CU | CU | P | P | P | |
| Crematorium, Pet ³⁷ | NP | P | NP | P | NP | NP | NP | P | NP | NP | P | P | CU | Sec. 8.19 |
| Custom Manufacturing | P | P | P | P | P | P | P | CU | CU | CU | P | P | CU | |
| Dry cleaning and Laundry Services | P | P | P | P | CU | P | P | CU | CU | CU | P | P | CU | |
| Dry cleaning and Laundry Facility | NP | P | P | P | P | P | P | CU | CU | CU | P | P | CU | |
| Equipment Rental, Sales, or Service | NP | P | P | P | P | P | NP | CU | NP | CU | P | P | CU | |
| Exterminating Services | NP | P | P | P | P | P | P | CU | CU | CU | P | P | CU | |
| Florist | P | P | P | P | CU | P | P | CU | CU | CU | P | P | P | |
| Food Preparation | P | P | P | P | CU | P | P | CU | CU | CU | P | P | CU | |
| Gambling Facilities | NP | NP | NP | NP | CU | NP | NP | NP | NP | NP | NP | CU | CU | Sec. 4.4G |
| Gas Station | NP | P | P | P | CU | P | P | CU | CU | CU | P | P | CU | |
| Gas Station, Large | NP | CU | P | P | CU | CU | CU | CU | CU | CU | P | P | CU | |
| Gas Station, Limited | P | P | P | P | CU | P | P | CU | CU | CU | P | P | CU | |
| Golf Course | NP | P | P | P | NP | P | P | CU | CU | CU | P | P | CU | |
| Grocery Store | P | P | P | P | CU | P | NP | CU | CU | CU | P | P | CU | |
| Horse Racing Facility | NP | NP | NP | P | NP | NP | NP | CU | CU | CU | P | P | CU | |
| Hotel/Motel | NP | P | P | P | NP | P | P | CU | CU | CU | P | P | CU | |
| Kennel | NP | P | P | P | CU | P | P | P | CU | CU | P | P | CU | Sec. 8.4 |
| Medical/Dental/Optical Office, Small | P | P | P | P | CU | P | P | CU | CU | CU | P | P | P | |
| Medical/Dental/Optical Office | NP | P | P | P | CU | P | P | CU | CU | CU | P | P | CU | |
| Mobile Home, Boat and Trailer Sales | NP | P | P | P | CU | P | NP | CU | NP | CU | CU | P | CU | |
| Movie Theater | NP | P | P | P | NP | P | NP | CU | CU | CU | P | P | CU | |
| Nightclub | NP | P | P | P | NP | P | NP | CU | CU | CU | P | P | CU | |
| Non-Profit Commercial Uses | P | P | P | P | NP | P | P | CU | CU | CU | P | P | CU | |
| Non-Profit Community Centers | P | P | P | P | CU | P | CU | P | CU | CU | P | P | CU | |
| Parking, Commercial Offsite Accessory | NP | P | P | P | P | P | P | CU | CU | CU | P | P | CU | |
| Pawn Shop Services | NP | P | P | P | NP | P | NP | CU | CU | CU | P | P | CU | |
| Personal Services | P | P | P | P | CU | P | P | CU | CU | CU | P | P | CU | |
| Professional Office | P | P | P | P | CU | P | P | CU | CU | CU | P | P | CU | |
| Professional Office, Small | P | P | P | P | CU | P | P | CU | CU | CU | P | P | P | |
| Restaurant | P | P | P | P | CU | P | P | CU | CU | CU | P | P | CU | |
| Restaurant, Fast Food | CU | P | P | P | CU | P | P | CU | CU | CU | CU | P | CU | |
| Land Use | NC | GC | HC | LI | MI | PND¹ | OC | R | RR | RG | RLIC | IC | V | Additional Standards |
| Commercial Uses continued | | | | | | | | | | | | | | Sec. 8.9 |
| Restaurant, Fast Food, Drive-Through ⁴⁰ | NP | P | P | P | CU | CU | P | CU | CU | CU | P | P | CU | |
| Restaurant, Fast Food, Limited | P | P | P | P | CU | P | P | CU | CU | CU | P | P | CU | |
| Retail Sales and Services, General | NP | P | P | P | NP | P | NP | CU | CU | CU | P | P | CU | |
| Retail Sales Limited | P | P | P | P | NP | P | P | CU | CU | CU | P | P | CU | |
| Retail Store, Large | NP | CU | P | CU | NP | CU | NP | CU | NP | CU | CU | CU | CU | |
| Shipping and Mailing Services | P | P | P | P | CU | P | P | CU | CU | CU | P | P | CU | |

| | | | | | | | | | | | | | | |
|--|----|------------------|----|----|----|----|----|----|-----------|----|----|----|----|-----------|
| Short Term Rental ⁴¹ | CU | NP | NP | NP | NP | P | NP | P | <u>P</u> | P | P | NP | P | Sec. 8.16 |
| Solar Energy Facility ⁴³ | NP | See Section 8.20 | | | | NP | NP | NP | Sec. 8.20 | | | | | |
| Special Event Facility | P | P | P | P | NP | P | P | CU | <u>CU</u> | CU | P | P | CU | Sec. 8.14 |
| Storage, Commercial | NP | P | P | P | CU | P | NP | CU | <u>NP</u> | CU | P | P | CU | |
| Veterinary Services | P | P | P | P | CU | P | P | P | <u>CU</u> | CU | P | P | CU | |
| Wireless Telecommunications Facilities | P | P | P | P | P | P | P | P | <u>P</u> | P | P | P | P | Art. 4B |
| Agricultural Uses* | | | | | | | | | | | | | | |
| Agricultural Uses, as defined in Article 2 | P | P | P | P | P | P | P | P | <u>P</u> | P | P | P | P | |
| Agricultural Repair Center | NP | P | P | P | P | P | P | P | <u>NP</u> | CU | P | P | NP | |
| Agricultural Tourism | P | P | P | P | P | P | P | P | <u>P</u> | P | P | P | P | |
| Crematorium, Livestock ³⁷ | CU | CU | CU | CU | CU | CU | CU | P | <u>CU</u> | CU | CU | CU | CU | Sec. 8.19 |
| Farm Brewery | P | P | P | P | P | P | P | P | <u>P</u> | P | P | P | P | Sec. 8.5 |
| Farm Winery or Distillery | P | P | P | P | P | P | P | P | <u>P</u> | P | P | P | P | Sec. 8.5 |
| Farm Market | P | P | P | P | P | P | P | P | <u>P</u> | P | P | P | P | Sec. 8.6 |
| Farmer's Market | P | P | P | NP | NP | P | NP | P | <u>CU</u> | CU | P | NP | CU | Sec. 8.6 |
| Farm Vacation Enterprise | P | P | P | P | P | P | P | P | <u>P</u> | P | P | P | P | |
| Feed and/or Farm Supply Center | CU | P | P | P | P | P | P | P | <u>NP</u> | CU | P | P | NP | |
| Horticultural Nurseries and Commercial Greenhouses | P | P | P | P | P | P | P | P | <u>NP</u> | CU | P | P | NP | |
| Landscaping Business | P | P | P | P | P | P | P | P | <u>NP</u> | CU | P | P | NP | |
| Rental of Existing Farm Building for Commercial Storage Structure must have existed for 5 years | NP | P | P | P | P | P | P | P | <u>CU</u> | CU | P | P | NP | |
| Special Event Facility, Agricultural | P | P | P | P | P | P | P | P | <u>P</u> | P | P | P | P | Sec. 8.14 |
| Accessory Uses | | | | | | | | | | | | | | |
| Accessory Uses | P | P | P | P | P | P | P | P | <u>P</u> | P | P | P | P | |

NC Neighborhood Commercial

GC General Commercial

HC Highway Commercial

LI Light Industrial

MI Major Industrial

PND Planned Neighborhood Development

OC Office / Commercial Mixed-Use

R Rural

RR Rural Residential

RG Residential Growth District

RLIC Residential-Light Industrial-Commercial District

IC Industrial-Commercial District

V Village District

P Permitted Uses

NP Not Permitted Uses

CU Conditional Uses (subject to requirements of district and/or other requirements of this Ordinance)

** Accessory Use to a planned residential community, if permitted pursuant to Section 5.4 and processed as a CU

¹ The Planning Commission may amend the permitted uses for a development in the PND District per Article 5.

² Approval process is per the Salvage Yard Ordinance.

Objective 1.1

Establish a simplified variety of commercial, residential, and mixed-use zoning categories and Land Use Classification appropriate to the County's needs.

1. Educate the public about the County's Zoning, Subdivision, and land development processes and regulations through educational materials, presentations, and digital tools.

P&Z | 1-2 years

2. Introduce text amendments to remove the Major Industrial and Planned Neighborhood Development zoning districts.

P&Z • CC | 1-2 years

3. Establish or modify zoning district options that allow residential and commercial land uses, residential and mixed use land uses, and rural residential land uses.

P&Z • CC | 1-2 years

4. Complete and enact an update to the Subdivision & Land Development Regulations and the Zoning & Land Development Ordinance to include the recommendations in the *2045 Comprehensive Plan*.

P&Z • PC • CC | 1-2 years

Objective 1.2

Continue to encourage the utilization of cluster subdivisions as the preferred form of residential development within rural areas.

1. Avoid future use of the Residential-Light Industrial-Commercial district as a zoning district for zoning map amendment requests.

PC • CC | Ongoing

2. Allow residential development outside of the Urban Growth Boundaries or Preferred Growth Areas to develop as rural cluster subdivisions or minor subdivisions, in accordance with existing land use rights.

P&Z • CC | Ongoing

Objective 1.3

Align existing land use regulations with West Virginia State code and make the land development processes consistent with the County ordinances and regulations.

1. Perform a yearly review of relevant changes to West Virginia Code 8A following the end of the West Virginia state legislative session.

P&Z | Yearly

Land Use Guide Classifications

The following land use classifications, utilized on the Existing Land Use Map and Future Land Use Guide, are intended to provide guidance to the Planning and County Commission when considering owner-initiated zoning map amendments (rezoning requests). The Future Land Use Guide is also intended to provide guidance for the Board of Zoning Appeals when considering Conditional Use Permits. While some of the land use classifications may result in new zoning categories, this is not a comprehensive list of possible zoning districts.

Residential Densities, Mixed Use, Commercial, and Industrial Definitions

Rural/Agriculture

Primary Uses: The Rural/Agriculture classification is for working agricultural operations and single family residences.

Intensity: Residences are primarily served by on-site well and septic systems.

Mobility: Agricultural equipment and auto orientated access are prioritized.



Courtesy: JC Office of Planning and Zoning

Future Urban Area

Primary Uses: This land use classification is used to identify locations that are Rural/Agriculture level development and are within the Urban Growth Boundaries of the City of Charles Town or the Corporation of Ranson. Urban Growth Boundaries facilitate owner initiated annexations into the relevant municipality and as a result the County identifies these areas as suitable for higher intensity development.

Intensity: Residential and non-residential uses may be served by on-site well and septic systems or public water and/or sewer system.

Mobility: Agricultural equipment and auto orientated access are prioritized with future developments requiring bike and pedestrian access.



Courtesy: JC Office of Planning and Zoning

Rural Residential

Primary Uses: The Rural Residential classification is for larger lot residential developments and can include single family residences, duplexes, accessory dwelling units, and residences east of the Shenandoah River.

Intensity: Residences may be served by on-site well and septic systems or public water and/or sewer system.

Mobility: Agricultural equipment and auto orientated access are prioritized with pedestrian mobility provided within residential subdivisions.



Courtesy: JC Office of Planning and Zoning

Land Use Guide Classifications

Suburban Residential

Primary Uses: The Suburban Residential classification identifies higher intensity residential developments. This can include single family residences on small lots, townhomes, apartment complexes, and assisted living communities.

Intensity: Residences are served by public water and sewer system.

Mobility: Pedestrian, bicycle, and auto orientated access are prioritized along with interconnectivity to adjacent neighborhoods and commercial developments.



Courtesy: JC Office of Planning and Zoning

Mixed Use Residential/Commercial

Primary Uses: This land use classification is for mixed use developments with commercial ventures or office businesses on ground level and residences on additional floors. The development should connect to the pedestrian and auto transportation networks of adjacent properties and commercial ventures can include gyms, convenience stores, and bakeries.

Intensity: Residences and commercial uses are served by public water and sewer system.

Mobility: Pedestrian, bicycle, and auto orientated access are prioritized along with interconnectivity to adjacent neighborhoods and commercial developments.



Courtesy: JC Office of Planning and Zoning

Conservation Area

Primary Uses: This land use classification reflects the use of historic, conservation, and farmland preservation easements.

Intensity: Residences on conservation areas are primarily served by on-site well and septic systems.

Mobility: Agricultural equipment and auto orientated access are prioritized.



Courtesy: Jefferson County HLC

Land Use Guide Classifications

Office or Commercial

Primary Uses: The Office or Commercial category is intended to support a mix of business and office uses. Developments can include mixed use projects, a mix of office or commercial buildings, or solely an office or commercial use.

Intensity: Commercial or office uses are served by public water and sewer system.

Mobility: Pedestrian, bicycle, and auto orientated access are prioritized along with interconnectivity to adjacent neighborhoods and commercial developments. Access to public transit is encouraged.



Courtesy: JC Office of Planning and Zoning

Neighborhood Commercial

Primary Uses: The Neighborhood Commercial classification is for small scale commercial uses that are compatible with residential uses. Developments in this classification should serve the convenience needs of residential neighborhoods and commercial developments within walking distance and should connect to the pedestrian and auto transportation networks of adjacent properties.

Intensity: Neighborhood commercial uses may be served by on-site well and septic systems or public water and/or sewer system.

Mobility: Pedestrian, bicycle, and auto orientated access are prioritized along with interconnectivity to adjacent neighborhoods and commercial developments.



Courtesy: JC Office of Planning and Zoning

Residential or Commercial

Primary Uses: This land use classification is for Suburban Residential and Neighborhood Commercial level development. Developments can include mixed use projects, a mix of residences and convenience businesses, or solely office, commercial, and residential uses that should connect to the pedestrian and auto transportation networks of adjacent properties. It includes gyms, convenience stores, townhomes, commercial and residential uses on adjoining lots, and mixed use projects with commercial ventures on ground level and residences on additional floors.

Intensity: Residences and commercial uses are served by public water and sewer system.

Mobility: Pedestrian, bicycle, and auto orientated access are prioritized along with interconnectivity to adjacent neighborhoods and commercial developments.



Courtesy: JC Office of Planning and Zoning

Land Use Guide Classifications

Golf Course

Primary Uses: The golf course land use classification depicts two existing locations. The classification is distinguished as they both exist in residential neighborhoods but cannot be further developed as residential or commercial. There are no future sites for this land use type depicted on the Future Land Use Guide.

Intensity: Commercial uses on golf courses are primarily served by on-site well and septic systems.

Mobility: Pedestrian, bicycle, and auto orientated access are prioritized along with interconnectivity to adjacent neighborhoods and commercial developments.



Courtesy: JC Office of Planning and Zoning

Public/Quasi Public Land

Primary Uses: This land use classification is for locations occupied by non-profits and governmental agencies. It includes churches, cemeteries, water towers, utility substations, city, county, state and federal lands, parks, and schools.

Intensity: Public or quasi-public uses are served by on-site well and septic systems or public water and/or sewer system. Municipal, state, and federal entities are exempt from processing through local land use regulations.

Mobility: Pedestrian, bicycle, and auto orientated access are prioritized along.



Courtesy: JC Office of Planning and Zoning

Industrial or Commercial

Primary Uses: The industrial or commercial classification is intended for industrial uses and destination businesses uses. It includes light and heavy industrial applications, automotive repair shops, warehousing that requires frequent truck traffic, and shooting ranges.

Intensity: Industrial or commercial uses are served by public water and sewer system.

Mobility: Truck auto orientated access are prioritized. Access to public transit and bike paths is encouraged.



Courtesy: Jefferson County Development Authority

General Commercial

Primary Uses: The General Commercial category is for general destination business uses including a broad range of commercial products, services, and structure size.

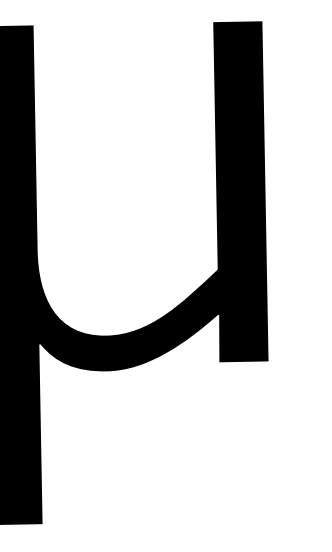
Intensity: Commercial uses are served by public water and sewer system.

Mobility: Pedestrian, bicycle, and auto orientated access are prioritized along with interconnectivity to adjacent neighborhoods and commercial developments. Access to public transit is encouraged.



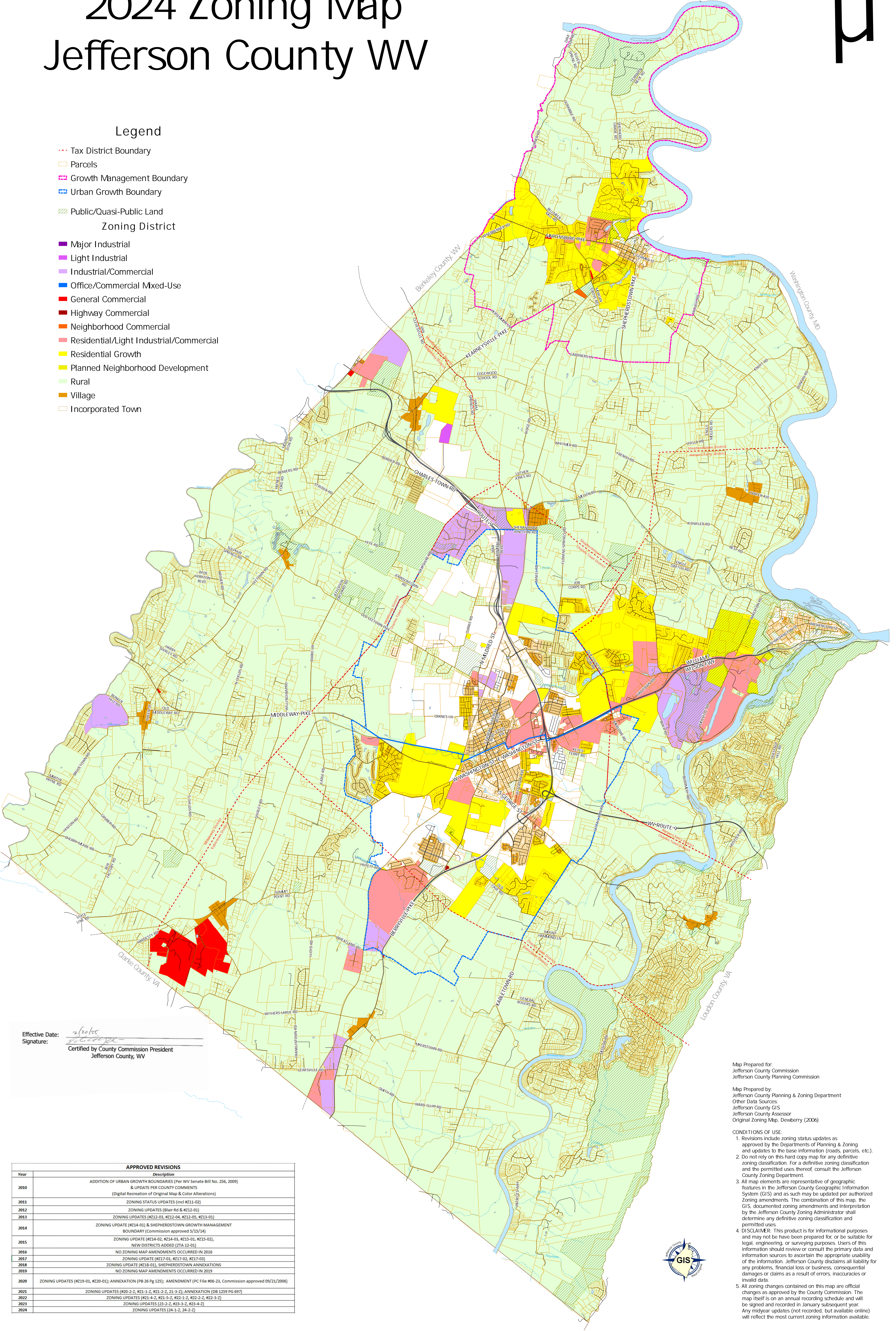
Courtesy: JC Office of Planning and Zoning

2024 Zoning Map Jefferson County WV



Legend

- Tax District Boundary
 - Parcels
 - Growth Management Boundary
 - Urban Growth Boundary
 - Public/Quasi-Public Land
- ### Zoning District
- Major Industrial
 - Light Industrial
 - Industrial/Commercial
 - Office/Commercial Mixed-Use
 - General Commercial
 - Highway Commercial
 - Neighborhood Commercial
 - Residential/Light Industrial/Commercial
 - Residential Growth
 - Planned Neighborhood Development
 - Rural
 - Village
 - Incorporated Town



Effective Date: 2/20/25
 Signature: _____
 Certified by County Commission President
 Jefferson County, WV

Map Prepared for:
 Jefferson County Commission
 Jefferson County Planning Commission

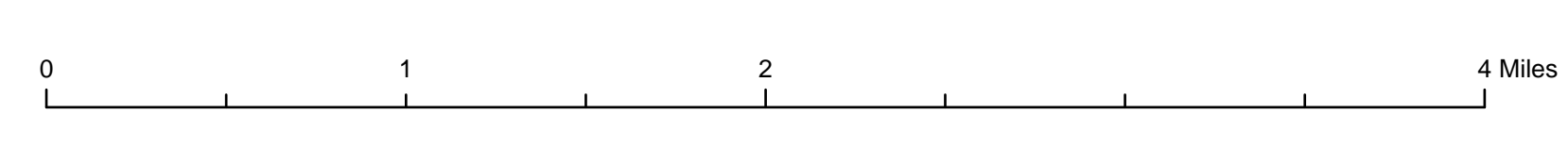
Map Prepared by:
 Jefferson County Planning & Zoning Department

Other Data Sources:
 Jefferson County GIS
 Jefferson County Assessor
 Original Zoning Map, Dewberry (2006)

- CONDITIONS OF USE:**
- Revisions include zoning status updates as approved by the Departments of Planning & Zoning and updates to the base information (roads, parcels, etc.).
 - Do not rely on this hard copy map for any definitive zoning classification. For a definitive zoning classification and the permitted uses thereof, consult the Jefferson County Zoning Department.
 - All map elements are representative of geographic features in the Jefferson County Geographic Information System (GIS) and as such may be updated per authorized zoning amendments. The combination of this map, the GIS, documented zoning amendments and interpretation by the Jefferson County Zoning Administrator shall determine any definitive zoning classification and permitted uses.
 - DISCLAIMER:** This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the appropriate usability of the information. Jefferson County disclaims all liability for any problems, financial loss or business, consequential damages or claims as a result of errors, inaccuracies or invalid data.
 - All zoning changes contained on this map are official changes as approved by the County Commission. The map itself is on an annual recording schedule and will be signed and recorded in January subsequent year. Any midyear updates (not recorded, but available online) will reflect the most current zoning information available.



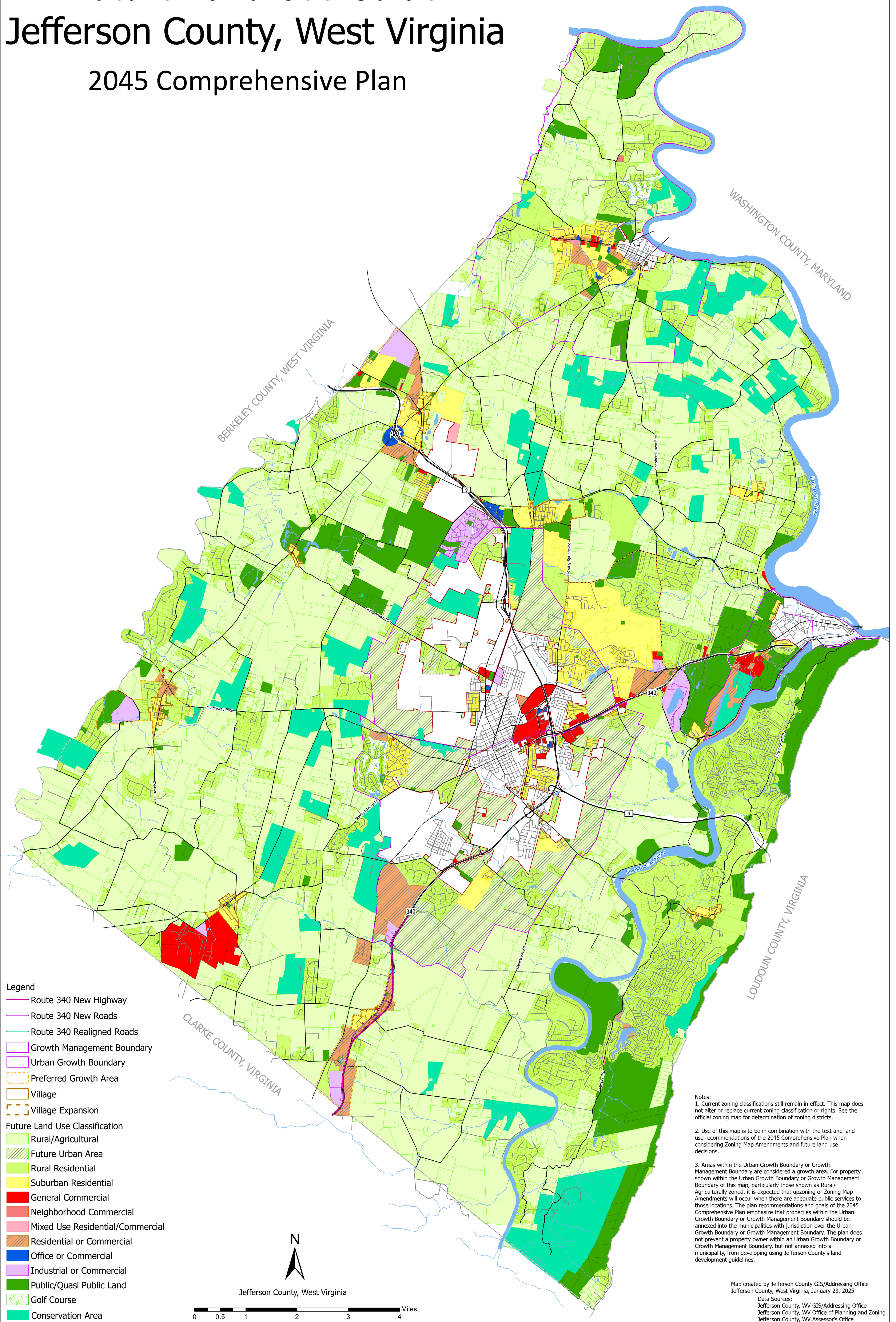
| Year | APPROVED REVISIONS Description |
|------|--|
| 2010 | ADDITION OF URBAN GROWTH BOUNDARIES (Per WV Senate Bill No. 256, 2009) & UPDATE PER COUNTY COMMENTS (Digital Recreation of Original Map & Color Alterations) |
| 2011 | ZONING STATUS UPDATES (incl #211-02) |
| 2012 | ZONING UPDATES (Blair rd & #212-01) |
| 2013 | ZONING UPDATES (#212-03, #212-04, #212-05, #213-01) |
| 2014 | ZONING UPDATE (#214-01) & SHEPHERDSTOWN GROWTH MANAGEMENT BOUNDARY (Commission approved 5/15/14) |
| 2015 | ZONING UPDATE (#214-02, #214-03, #215-01, #215-02), NEW DISTRICTS ADDED (ZTA 12-01) |
| 2016 | NO ZONING MAP AMENDMENTS OCCURRED IN 2016 |
| 2017 | ZONING UPDATE (#217-01, #217-02, #217-03) |
| 2018 | ZONING UPDATE (#218-01), SHEPHERDSTOWN ANNEXATIONS |
| 2019 | NO ZONING MAP AMENDMENTS OCCURRED IN 2019 |
| 2020 | ZONING UPDATES (#219-01, #220-01); ANNEXATION (PB 26 Pg 125); AMENDMENT (PC File #06-23, Commission approved 09/21/2006) |
| 2021 | ZONING UPDATES (#20-2-Z, #21-1-Z, #21-2-Z, 21-3-Z); ANNEXATION (DB 1259 PG 697) |
| 2022 | ZONING UPDATES (#21-4-Z, #21-5-Z, #22-1-Z, #22-2-Z, #22-3-Z) |
| 2023 | ZONING UPDATES (23-2-Z, #23-3-Z, #23-4-Z) |
| 2024 | ZONING UPDATES (24-1-Z, 24-2-Z) |



Future Land Use Guide

Jefferson County, West Virginia

2045 Comprehensive Plan



- Legend**
- Route 340 New Highway
 - Route 340 New Roads
 - Route 340 Realigned Roads
 - Growth Management Boundary
 - Urban Growth Boundary
 - Preferred Growth Area
 - Village
 - Village Expansion
- Future Land Use Classification**
- Rural/Agricultural
 - Future Urban Area
 - Rural Residential
 - Suburban Residential
 - General Commercial
 - Neighborhood Commercial
 - Mixed Use Residential/Commercial
 - Residential or Commercial
 - Office or Commercial
 - Industrial or Commercial
 - Public/Quasi Public Land
 - Golf Course
 - Conservation Area

Notes:

1. Current zoning classifications still remain in effect. This map does not alter or replace current zoning classification or rights. See the official zoning map for determination of zoning districts.
2. Use of this map is to be in combination with the text and land use recommendations of the 2045 Comprehensive Plan when considering Zoning Map Amendments and future land use decisions.
3. Areas within the Urban Growth Boundary or Growth Management Boundary are considered a growth area. For property shown within the Urban Growth Boundary or Growth Management Boundary of this map, particularly those shown as Rural/Agriculturally zoned, it is expected that upzoning or Zoning Map Amendments will occur when there are adequate public services to those locations. The plan recommendations and goals of the 2045 Comprehensive Plan emphasize that properties within the Urban Growth Boundary or Growth Management Boundary should be annexed into the municipalities with jurisdiction over the Urban Growth Boundary or Growth Management Boundary. The plan does not prevent a property owner within an Urban Growth Boundary or Growth Management Boundary, but not annexed into a municipality, from developing using Jefferson County's land development guidelines.

Map created by Jefferson County GIS/Addressing Office
 Jefferson County, West Virginia, January 23, 2025
 Data Sources:
 Jefferson County, WV GIS/Addressing Office
 Jefferson County, WV Office of Planning and Zoning
 Jefferson County, WV Assessor's Office



Colin Uhry

From: Luke Seigfried
Sent: Tuesday, July 1, 2025 12:10 PM
To: Colin Uhry
Subject: FW: Rural Residential

Best,
Luke

From: Cara Keys <ckeys@jeffersoncountywv.org>
Sent: Wednesday, June 11, 2025 3:46 PM
To: Luke Seigfried <lseigfried@jeffersoncountywv.org>; Andrew Beall <abeall@jeffersoncountywv.org>
Subject: Rural Residential

Hi Luke and Andrew,

Thanks for your work last night and getting the ball rolling for Rural Residential. Here are some of my thoughts I'd like added for the discussion at our next meeting:

1. **Density:**
2. In areas where there are no utilities I would likely advocate for something lower dense for SF dwellings like 1-2 acres per lot. In areas where there are public utilities, I would recommend discussing a minimum of 1/2 acre+ lots. I believe this aligns well as a middle ground between rural and RG/RLIC.
3. **Townhomes/MF Dwellings:**
4. In all cases I would be very opposed to TH or MF development in RR zoning. I find the RR as a low to medium density as discussed in our comprehensive plan. However, I personally would be open to duplex or villa style with minimum of 40,000 SF lots per villa/duplex half aligning with the health department requirements in not public utility areas and would open for discussion for slightly higher in areas of public utilities.

Thank you both!

Kind Regards,
Cara Keys
Jefferson County Commission

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Jefferson County, West Virginia
Department of Engineering, Planning and Zoning
Office of Planning and Zoning
116 E. Washington Street, 2nd Floor
Charles Town, West Virginia 25414

Email: planningdepartment@jeffersoncountywv.org

Phone: 304-728-3228

MEMORANDUM

TO: Jefferson County Planning Commission
FROM: Luke Seigfried, County Planner; Charles Cain, Planning Intern
DATE: July 8, 2025
RE: Draft Subdivision Regulation Amendments (File #STA25-03)
For Proposed Rural Residential Zoning District

Background

Jefferson County Zoning Ordinance and Subdivision Regulations currently work together for development standards and other requirements. If the Zoning and Land Development Ordinance is amended to include the proposed Rural Residential district, several sections of the Subdivision Regulations should be updated simultaneously to reflect development standards and update relevant exceptions.

List of Sections to Amend

1. Section 20.201A-2b – Residential Minor Subdivisions access
2. Section 20.201C – Non-Residential Minor Subdivisions – one lot, one land use
3. Section 20.203C – Site Plan Exceptions – Rural stormwater management
4. Section 21.105C – Parkland Requirements
5. Section 22.208A – Sidewalk Exemption
6. Section 22.208B – Sidewalk Modifications

Next Steps

These amendments will be reviewed by the Planning Commission during a regular meeting. If the Planning Commission chooses to move forward with the proposed text amendments, a public hearing will be required before the Planning Commission. Following a public hearing, the Planning Commission can recommend the amendments to the County Commission or make additional revisions to the amendment prior to recommendation.

Descriptions and Excerpts of Subdivision Regulations Changes

The following is a list of explanations of changes, with proposed amendments to each section shown as excerpts. The full pages of the regulations with redline revisions are attached.

1. 20.201A-2b – Residential Minor Subdivisions

Explanation:

Residential Minor Subdivisions have exceptions for the Rural district lots with minimum frontage of 200ft can have direct access to a WVDOH or easement. Subdivisions developed in the proposed Rural Residential zoning district should be included in this requirement. A typo is corrected as well.

Proposed amendments to 20.201A-2:

b. A road in a major ~~subdivision~~ subdivision that meets county roadway design standards (Table 2.2-1) However, in the Rural District and Rural Residential 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.

2. 20.201C – Non-Residential Minor Subdivisions

Explanation:

When a landowner intends to develop a non-residential use in the Rural district for only one lot and one use, the minor subdivision rules apply. Given the similar nature of agricultural and non-residential permitted uses in the proposed Rural Residential district, this provision should apply as well.

Proposed amendments to 20.201:

C. 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 is permitted in the Rural Zoning District or the Rural Residential 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~~ 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:⁸

1. ~~[omitted in excerpt]~~

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 or Rural Residential District.

3. 20.203C – Site Plan Exceptions

Explanation:

Rural district stormwater drainage and management using a LID (low-impact development) techniques can be exempt from some requirements of a full site plan. To incentivize developments within the proposed Rural Residential zoning district, the Site Plan exceptions afforded in the Rural zoning district should be extended to the Rural Residential zoning district. The exemption still requires reports about stormwater quantity and quality for additional impervious area.

Proposed amendments to 20.203C:

- a. [omitted in excerpt]
- b. Rural Storm Drainage and Management. Development which is proposed in the Rural or Rural Residential zoning districts which wishes to take advantage of this Exception is required to utilize Low Impact Development (LID) techniques and provide stormwater management (quantity and quality) for the additional impervious area only. Gravel is considered an impervious surface.

4. 21.105C and Table 21.105 – Parkland Requirements

Explanation:

Parkland in the proposed Rural Residential district ensures adequate green space is preserved, and this requirement can also help preserve additional green space in clusters in the Rural zoning district. Therefore parkland requirements for Rural Residential should be considered along with RG and RLIC. The Parkland Requirements found on Table 21.105 determines how much parkland to set aside based on density, so RR can easily be added to Table 21.105 and Sec.21.105.C.3.

Proposed amendments to 21.105C:

- 1. [omitted in excerpt]
- 2. [omitted in excerpt]
- 3. Open spaces/parkland shall be designed to provide areas of focus within the development. In the Rural District, such spaces shall be provided in accordance with Table 21.105. for developments following the Clustering provisions found in Section 5.7.D.2 of the Zoning and Land Development Ordinance~~be minimal unless a Conditional Use Permit (CUP) has been obtained.~~ In the Residential-Light Industrial-Commercial, ~~and~~ Residential Growth Districts, and Rural Residential District, open spaces/parkland shall be provided in accordance with Table 21.105. Residential Land area is determined by adding the square footage of all proposed residential lots. Up to 60% of this requirement may be met with passive open space in the Residential-Light Industrial-Commercial, ~~and~~ Residential Growth Districts, and Rural Residential District. Landscaping and hardscapes that include furniture for pedestrians shall be installed to enhance the usefulness of these areas.

| Table 21.105 Parkland Requirements for R-LI-C, <u>RR</u> & RG Districts and <u>Cluster</u> Development in the Rural District with an approved CUP | |
|---|---|
| Density in Units per Acre of Residential Land Area | % of Land to be Reserved for Open Space |
| Less than 2 units per acre | No land required |
| 2-4 | 4% |
| 4-6 | 7% |
| 6 to 10 | 10% |
| 10+ | 15% |

5. 22.208A – Sidewalks Exemption

Explanation:

The regulations grant exemptions from the sidewalk requirements for residential subdivisions in the Rural zoning district based on density. With low density rural residences, sidewalks are not required. This may be the case for the minimum density clusters allowed with RR (single-family detached), so RR

developments may be eligible to apply for this exemption.

Proposed amendments to 20.208:

A. **Location of sidewalks.** Sidewalks shall be provided along at least one side of streets in all zone districts. In the Rural District or Rural Residential District when residential density in the proposed development is less than three (3) units per acre and/or when lot frontage is greater than 80 feet, sidewalks are not required. Sidewalks shall be located within townhouse or multi-family residential developments and any non-residential subdivisions and/or site plans. Sidewalks shall be located in the platted street right-of-way, a minimum of one foot from the property line. Walks shall also be installed in pedestrian easements as may be required by the Planning Commission.⁴

6. 22.208B – Sidewalks – Trails Option

Explanation:

Separate trails instead of roadside sidewalks are allowed for Village, Residential-Light Industrial-Commercial, and Residential Growth, and Rural Residential can benefit from this flexibility as there may be more pedestrian needs than the Rural District. Similar to the exception in 22.208A, off-road trails for cycling and pedestrians could be appropriate for some Rural Residential developments, depending on their density.

Proposed amendments to 22.208B:

1. In developments located in the Residential-Light Industrial-Commercial (R-LI-C), Rural Residential (RR), Village (V) and Residential Growth (RG) Districts where lots are greater than one-quarter (1/4) acre in land area to allow off-street trails in lieu of sidewalks, thereby meeting the needs of walkers and cyclists; or
2. **[omitted in excerpt]**

Attached pages of STA – p11-15, 26-27, 38-39



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. Further subdivision of a parent parcel beyond the maximum lots allowed to be created via the minor process after October 5, 1988 shall be classified as a Major subdivision 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.⁸

A. Residential⁸

All minor residential subdivisions shall conform with the following:

1. 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. All lots, regardless of the zoning district, shall have motor vehicle access via a 50' access easement, provided that the access easement serves no more than 5 lots to either:
 - a. A WV DOH road right-of-way or easement; or
 - b. A road in a major ~~subdivision~~ subdivision that meets county roadway design standards (Table 2.2-1)

However, in the Rural District or Rural Residential 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. 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 Transfers⁸

When family transfers are provided for in a specific zoning district, such transfers shall conform with the following:

1. The Deed shall identify the relationship between the grantor and grantee; and document that the recipient has not yet received a previous family transfer.
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 family transfer of land. Any transferal 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 via a 50’ access easement, provided that the access easement serves no more than twelve (12) family transfer lots, to either:
 - a. A WV DOH right-of way or easement; or
 - b. A road in a major subdivision that meets county roadway design standards (Table 2.2-1)

However, lots having a minimum road frontage of 200 feet may have 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 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.
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 there-under 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.
 - f. Each individual eligible to receive a family transfer as defined in the Jefferson County Zoning and Land Development Ordinance shall receive only one such exempt lot within the County after July 19, 1979.
 - g. Parents who are married are entitled to only one such family transfer parcel.

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 is permitted in the Rural Zoning District [or the Rural Residential 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~~ [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:⁸



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 [or Rural Residential 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 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.⁸

Sec. 20.203 Minor Site Development^{1, 3, 4, 6, 8}

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.

A. Minor Site Development Determination

1. Minor Site Developments are determined using the criteria in this Section. Existing single family structures used as a single family residence and existing agricultural structures are not included in the square footage computations below. 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:
 - a. Process a concept plan with a public workshop and all remaining site plan review processes shall be administratively approved.



- b. 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.
 - a. 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.
5. New wireless Telecommunication 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:
 - a. 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.

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.

B. Site Plan Classifications⁸

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 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.

1. **No Site Plan or Stormwater Management Plan.** No site plan is required for additions to existing structures or structures ancillary to existing uses on a property, when:
 - a. The footprint of the addition or the new structure is less than 1,200 square feet; and
 - b. No additional parking is required per Zoning Ordinance standards; and
 - c. The disturbed area is no more than 5,000 square feet.



Note: Once the total of any additions or new structures processed under this provision since October 5, 1988 exceeds 1,200 square feet, it shall process as a Limited Site Plan or a Full Site Plan, as appropriate.

2. Limited Site Plan

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:

- a. An addition to an existing structure, or, ancillary to an existing use; and
- b. The footprint does not exceed 3,000 square feet or 35% of the existing structure, whichever is smaller.
- c. 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

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

C. Site Plan Exception⁸

All non-residential agricultural uses or principal permitted uses in the Rural District [or Rural Residential District](#) that require the construction of a structure other than a residence or other than a structure for private agricultural use that is not intended for public use may utilize this Site Plan Exception. All Minor Site Developments in the Rural District [or Rural Residential District](#) shall be classified per Section 20.203.B⁴ and shall meet all requirements of the Site Plan Classification except for the following:

- a. **Parking Areas and Access Drives.** Parking areas and access drives (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*.

- b. **Rural Storm Drainage and Management.** Development which is proposed in the Rural [or Rural Residential](#) zoning districts which wishes to take advantage of this Exception is required to utilize Low Impact Development (LID) techniques and provide stormwater management (quantity and quality) for the additional impervious area only. [Gravel is considered an impervious surface.](#)



2. In curvilinear street patterns, irregular lot shapes will result. The minimum lot width must be maintained between the front and rear yard setback lines; therefore, the lot width may not be narrower than the minimum at any point within the building envelope. The applicant may define *building* envelopes more restrictively than minimum yard setbacks on the *final plat*.
 3. Where lots exceed two acres, the need for rectilinear lot shapes decreases and, provided the provisions of 2 above are met, more irregular lots may be approved where it protects natural features or resources or where it makes the lotting more efficient.
 4. Acute lot corners shall have angles of no less than sixty (60) degrees. Lot corners of less than sixty (60) degrees may be accepted by the County Engineer for lots along road turnarounds.
- C. **Difficult Properties.** Where topography, natural resources, or property shape make normal lot configurations difficult, common drives, *panhandle lots*, or shared easements may be considered to provide access in those situations. They shall not be used simply to avoid more streets.

Sec. 21.105 Requirements for Parkland

This Section is designed to satisfy needs for park facilities in future neighborhoods.

- A. **Visual Access.** Visual access to parkland shall be encouraged from both lots and streets.
- B. **Greenways.** Parkland shall be designed to provide greenways along drainage corridors, streams, or in accordance with a County trail plan. The landscaping along corridors shall be designed to enhance the filtering of surface and subsurface water flows. Trails shall provide access along the greenway and to the residents of the development.
- C. **Design.**
 1. Parkland shall be integrated into the development design to bring significant open space to the maximum number of properties. Small, odd, left-over open space areas shall be avoided. Landscaping may be required to enhance the value of such spaces where they cannot be avoided, and staff may require the concentration of required plant material. The reservation of land for park and recreation purposes shall be in a suitable, convenient location and shall be of a size, dimension, topography, and character conducive to use as a park, playground, playfield, or similar use.
 2. Land reserved for park and recreation purposes shall be reasonably level and dry and shall be maintained by the property owners' associations in a useable condition as part of an overall maintenance program for the subdivision. Land reserved for neighborhood park and recreation purposes shall be clearly identified on the final plat and shall be for the use and enjoyment of property owners within the subdivision. Land reserved for greenways and trails for public use shall be clearly identified on the Final Plat. The County Commission may accept donation of all or a portion of parkland, greenways, or trails for use by the public.
 3. Open spaces/parkland shall be designed to provide areas of focus within the development. In the Rural District, such spaces shall [be provided in accordance with Table 21.105 for developments following the Clustering provisions found in Section](#)



5.7.D.2 of the Zoning and Land Development Ordinance ~~be minimal unless a Conditional Use Permit (CUP) has been obtained.~~ In the Residential-Light Industrial-Commercial, ~~and~~ Residential Growth Districts, and Rural Residential Districts, open spaces/parkland shall be provided in accordance with Table 21.105. Residential Land area is determined by adding the square footage of all proposed residential lots. Up to 60% of this requirement may be met with passive open space in the Residential-Light Industrial-Commercial, ~~and~~ Residential Growth Districts, and Rural Residential Districts. Landscaping and hardscapes that include furniture for pedestrians shall be installed to enhance the usefulness of these areas.

| Density in Units per Acre of Residential Land Area | % of Land to be Reserved for Open Space |
|--|---|
| Less than 2 units per acre | No land required |
| 2-4 | 4% |
| 4-6 | 7% |
| 6 to 10 | 10% |
| 10+ | 15% |

- D. **Overlapping Easements.** Easements over environmentally sensitive resources shall not have other easements over the land that would result in the disturbance of the land, with the following exceptions:
1. Pedestrian *access easements* may be permitted anywhere.
 2. In order to provide appropriate services, utility and drainage easements may be permitted along any side and rear lot lines of adjoining lots designated for development but shall be minimized in open space areas.

Division 21.200 Site Plan Components

Sec. 21.201 Access and Interconnection

The provision of safe access to adjoining roads and interconnections between adjoining developments is important to a transportation system that works. Access to the State's roads is governed by WVDOH, which is responsible for the review of the site plan for access to the adjoining road network. It is the purpose of these Regulations to encourage connectivity between adjoining uses along arterial and collector roads to reduce the need for traffic to go onto major roads to reach nearby uses. The following governs the review of access and interconnection:

- A. **Access.** The West Virginia Division of Highways (WVDOH) shall review all site plan applications and indicate whether it approves of the proposed access in terms of location and sight distances, acceleration and deceleration lanes, turn lanes, traffic signs and/or signals, and the capacity of the road to handle the proposed traffic.
- B. **Interconnections.** The Department of Engineering, Planning, & Zoning shall review the site plans to ensure that, where interconnections can be made or where adjoining properties



Sec. 22.205 Non-Residential Streets

The standards contained in Appendix B, Section 2.2, *Streets*, shall govern all non-residential street construction.

Sec. 22.206 Cul-de-Sacs

- A. **General.** Cul-de-sac streets shall be carefully managed to ensure they are not over-used. Connectivity is preferred.
- B. **Where permitted.** Cul-de-sac streets may be used if:
 - 1. Natural resources, such as topography, floodplains, open space, or stream systems make standard blocks inefficient;
 - 2. Cul-de-sac streets serve no more than 24 lots or are no more than 800 feet in length, whichever results in a shorter street segment; and
 - 3. The pedestrian circulation system provides for direct, non-vehicular access between cul-de-sac ends where:
 - a. Two lots or fewer are situated between them; and
 - b. The distance between them, measured along street centerlines, is more than 650 feet.
- C. **Dimensional standards.** All cul-de-sacs shall be designed to permit vehicles to turn around without backing, except as may be provided for in Appendix B, Section 2.2, *Streets*. Cul-de-sac standards are listed in Appendix B, *Engineering Standards*, Table 2.2-1, *Roadway Design Standards*.

Sec. 22.207 Private Roads

Private roads shall be permitted in accordance with this Section.

- A. **Private Roads.** Private roads may be developed if all of the following are demonstrated:
 - 1. A homeowner's association is created that will be responsible for the ownership and maintenance of the road.
 - 2. The plat and all lot plans in the subdivision contain a note that indicates that the County shall not take ownership or be responsible for maintenance of private roads.
- B. **Gated Communities.** No gated communities shall be permitted.

Sec. 22.208 Sidewalks

- A. **Location of sidewalks.** Sidewalks shall be provided along at least one side of streets in all zone districts. In the Rural District [or Rural Residential District](#) when residential density in the proposed development is less than three (3) units per acre and/or when lot frontage is greater than 80 feet, sidewalks are not required. Sidewalks shall be located within townhouse or multi-family residential developments and any non-residential subdivisions and/or site plans. Sidewalks shall be located in the platted street right-of-way, a minimum of one foot from the property line. Walks shall also be installed in pedestrian easements as may be required by the Planning Commission.⁴



- B. **Modification of sidewalk requirements.** Sidewalk requirements may be altered or waived if a pedestrian circulation plan that provides equal or greater pedestrian circulation is submitted to and approved by the Planning Commission. These trade-offs may be permitted:
 - 1. In developments located in the Residential-Light Industrial-Commercial (R-LI-C), Village (V), [Rural Residential \(RR\)](#) and Residential Growth (RG) Districts where lots are greater than one-quarter (1/4) acre in land area to allow off-street trails in lieu of sidewalks, thereby meeting the needs of walkers and cyclists; or
 - 2. In order to implement the County's Parks and Recreation Master Plan, as set out in sub-section D, below.
- C. **Completion of sidewalk networks within the subdivision or site development**
 - 1. In general, sidewalks shall be constructed concurrent with street construction, with special provisions to protect their condition and integrity during the process of building construction. However, this requirement may be waived at the discretion of the Planning Commission if reasonable assurances are provided that:
 - a. Sidewalk segments across individual lots will be constructed after buildings are constructed on the individual lots, but before they are occupied; and
 - b. The timing and phasing of development will result in the completion of the sidewalks on each street segment prior to release of any required construction bond amount for such improvement. Sidewalks shall be installed along street corridors on a priority basis in areas where they are not currently available.
- D. **Trails and bikeways**
 - 1. On-street bikeways and off-street bicycling and jogging trails shall be developed in accordance with the County's Parks and Recreation Master Plan to link major attractions and destinations throughout the community, including neighborhoods, parks, schools, churches, public libraries, community centers, major employment centers, and shopping areas.
 - 2. Stream corridors present opportunities for future off-street bicycle and pedestrian trails to connect with existing or new sidewalks and as means of extending the County's trail system and shall be considered for trail system development in all subdivisions where such opportunities are presented.
 - 3. In all major subdivisions, a dedicated detached trail or bikeway shall be provided along the public right-of-way for the entire width of the property. This trail or bikeway would be required to be constructed once the County trail plan is established.

Sec. 22.209 Street Lighting

The developer of any subdivision shall be required to install street lighting when lots are less than 15,000 square feet according to the following standards:

- A. **Underground Wires.** Street lighting shall be via underground distribution.



JEFFERSON COUNTY, WEST VIRGINIA

Office of Planning and Zoning

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MEMO

TO: Planning Commission of Jefferson County
FROM: Luke Seigfried, Chief County Planner
DATE: July 8, 2025
RE: Proposed Text Amendment to Section 2.2, Appendix C – Principal Permitted and Conditional Use Table, and Addition of Section 8.21 of the Zoning and Land Development Ordinance (amended 2022) and Proposed Text Amendment of Appendix A and Addition of Section 21.106 of the Subdivision & Land Development Regulations (amended 2024).

At their April 29, 2025 meeting, Planning Commissioner Daniel Hayes requested to propose revisions to the Zoning and Land Development Ordinance and the Subdivision & Land Development Regulations to better define Data Center guidelines at the next available Planning Commission meeting. During the May 27, 2025 meeting, the Planning Commission directed staff to review the proposed revisions and provide feedback.

State Code Changes

On April 12, 2025 Governor Morrisey approved House Bill 2014 to establish the microgrid district and put into place regulations for microgrid districts and high impact data centers (see attached). The definitions for both are below. The bill will take effect July 11, 2025.

(6) "High Impact Data Center" means a facility or group of facilities that:

(A) Consists of one or more parcels in this state, along with the buildings, substations and other infrastructure, fixtures, and personal property located on the parcels;

(B) Is owned, operated, or leased by an entity or affiliated group of entities;

(C) Is used to house and operate equipment that receives, stores, aggregates, manages, processes, transforms, retrieves, researches, or transmits data; or that is necessary for the proper operation of equipment that receives, stores, aggregates, manages, processes, transforms, retrieves, researches, or transmits data;

(D) Has a critical IT load in the aggregate of 90 megawatts total or higher; and

(E) Is placed into service on or after July 1, 2025.

(8) "Microgrid power generator" includes any entity supplying power under the rules provided in §5B-2-21 of this code to a high impact data center.

(9) "Microgrid power generator property" means and includes any and all property used by microgrid power generator within a certified microgrid district.

Most notably in regards to data centers in Jefferson County, **§5B-2-21b.(c)**

(c) This section prohibits:

(1) Counties and municipalities, whether by ordinance, resolution, administrative act, or otherwise, from enacting, adopting, implementing, or enforcing ordinances, regulations, or rules which limit, in any way, the creation of, and acquisition, construction, equipping, development, expansion, and operation of any certified microgrid district or certified high impact data center project; an

(2) Counties and municipalities from imposing or enforcing local laws and ordinances concerning the creation or regulation of any certified microgrid district or certified high impact data center therein.

(d) In accordance with §5B-2-21(b) and §5B-2-21(c) of this code, and notwithstanding any provision of this code to the contrary, or any municipality's home rule powers with respect to ordinances and ordinance procedures, including any authority pursuant to the Municipal Home Rule Program under §8-1-5a of this code, certified microgrid districts and certified high impact data centers may not be subject to the following:

- 1) County or municipal zoning, horticultural, noise, viewshed, lighting, development, or
- 2) land use ordinances, restrictions, limitations, or approvals;
- 3) County or municipal building permitting, inspection, or code enforcement;
- 4) County or municipal license requirements;
- 5) The legal jurisdiction of the county or municipality in which the certified microgrid district
- 6) or certified high impact data center is entirely or partially located, except as specifically provided
- 7) in this article.

Staff Reports and Comments

Due to the recent changes to state code, staff would recommend not pursuing the proposed text amendment. As an alternative, a memo could be prepared stating how staff can best provide information regarding data center projects to the public. Staff frequently answers questions about new developments in the County and if a data center project chooses to provide information to staff regarding the project, staff can provide such information to the public. In particular, documents showing the scope, size, layout, and any state issued permits of the project would be most useful in responding to inquiries. If a data center project chooses to provide any information, it can also be retained for record keeping of the subject parcels and would not require any processing through any ordinance. Such information should not require the developer to create new documents for this purpose. If documents are provided at the discretion of the developers of a certified microgrid district or certified high impact data center project, staff will be able to accurately answer questions from the public regarding the project.

This memo could also be prepared in the event that a certified microgrid district or certified high impact data center approaches the County regarding suggestions for development. These suggestions for certified microgrid districts or certified high impact data centers could be to follow the lighting ordinance, implement landscaping along the project, applying for a zoning certificate, and reducing the use of lights affixed to the top of buildings.

The preparation of a memo would not require any amendment to the Subdivision Regulations or the Zoning Ordinance. If the Planning Commission chooses to move forward with this proposed text amendment, a Public Hearing will be required before both the Planning commission and the County Commission.

Attachments

- Data Centers – Draft Text Amendment
- 2045 Comprehensive Plan Data Center Extract
- West Virginia House Bill 2014 - Enrolled Committee Substitute

DRAFT TEXT AMENDMENTS - DATA CENTERS (04/29/25)

Section 2.2 – Terms Defined (Add):

Data Center: A facility used primarily for the storage, management, processing, and transmission of digital data. Data centers may include server rooms, backup power supplies, cooling systems, cybersecurity systems, and network infrastructure. Ancillary office and support uses are permitted.

Amend Appendix C – Principal Permitted and Conditional Uses Table:

| Institutional Uses | NC | GC | HC | LI | MI | PND | OC | R | RG | RLIC | IC | V |
|---------------------------|-----------|-----------|-----------|-----------|-----------|------------|-----------|----------|-----------|-------------|-----------|----------|
| Data Center | NP | NP | NP | P | P | NP | NP | NP | NP | NP | P | NP |

Additional Standards: Sec. 8.21

ADD

Section 8.21 – Data Centers

A. Applicability: These standards apply to all new or expanded data center facilities.

B. Site Design & Operational Standards

- Setbacks:** Minimum 200 feet from all residential property lines. Parking setbacks will remain consistent with underlying zoning.
- Height:** Maximum building height shall not exceed 60 feet unless otherwise allowed by zoning.
- Screening:** Mechanical equipment (including HVAC, backup generators, and substations) shall be screened from adjacent properties and roads using architectural treatments and evergreen landscaping unless the adjacent properties are compatible with industrial uses. The buffer shall be either one or a combination of the following:
 - A staggered triple row of native evergreen trees that are a minimum of 8 feet in height at the time of planting and are spaced to provide a minimum 75% visual opacity year-round within two years of installation. The use of fast-growing species in combination with slower-maturing native trees is encouraged to achieve both immediate impact and long-term screening.

- Maintenance Requirements: A landscape maintenance agreement must be submitted with the Concept Plan and recorded with the property deed. This agreement must outline the property owner's responsibility to inspect, replace, and maintain vegetative buffers to ensure continued compliance. Dead, diseased, or dying plant material shall be replaced within 60 days of identification with plantings that meet or exceed the initial installation size and opacity requirements. Failure to maintain the buffer shall constitute a zoning violation and be subject to enforcement action, including fines and potential suspension of operational permits.

Existing natural vegetation may be used to meet these buffer requirements only if a certified arborist or landscape architect provides documentation verifying that the existing vegetation meets or exceeds the above opacity and height standards and can be sustained with normal maintenance practices.

- An 8-foot-tall opaque fence may be used in lieu of or in addition to vegetative buffering. Fences must be dark-colored and non-reflective.
4. **Noise:** All equipment must comply with the county noise ordinance. Generators must use sound attenuation and be tested only during designated hours.
 5. **Lighting:** Lighting shall be full cut-off and downward-directed to minimize off-site glare. Lighting levels must meet dark sky standards.
 6. **Cooling and Water Use:**
 - Use of closed-loop or air-cooled systems is required.
 - Water use shall be quantified at site plan review, and systems evaluated for efficiency.

C. Traffic and Access

- Access roads must be paved and capable of handling occasional heavy equipment transport.
- Delivery and service traffic must be confined to daylight hours unless emergency maintenance is required.

D. Emergency Power

- Backup generators shall be subject to screening and noise compliance requirements.
- Fuel storage must comply with applicable state and federal environmental safety standards.

E. Submittal Requirements

- Site plan shall include a **power and cooling systems narrative**, noise mitigation plan, and landscape plan.

SUBDIVISION & LAND DEVELOPMENT REGULATIONS AMENDMENTS

ADD

Section 21.106 – Data Center Design Standards

A. Site plans for data centers must address:

1. Power infrastructure layout
2. Emergency generator location and screening
3. Cooling system type and placement
4. Access circulation for equipment delivery and emergency service
5. Vegetative screening for all structures and equipment yards

B. Subdivisions creating industrial parcels intended for future data center use shall:

1. Provide for utility corridors and electrical service stubs
 2. Design internal circulation for industrial truck and service access
-

Appendix A – Plan and Plat Standards:

Section 1.3 – Preliminary Site Plan Requirements:

- 38 For data centers, the preliminary site plan must include:
- Acoustic analysis
 - Cooling system schematic
 - Generator and battery storage layout
 - Landscaping and screening cross-sections

Land Use Planning

The Shepherdstown Growth Management Boundary (GMB) is not considered an area for future Urban Development if it remains unincorporated with the exception of the Shepherdstown PGA.

In 2018 the JCBOE acquired 101 acres along Shepherdstown Pike for the purpose of establishing the new Shepherdstown Campus including Shepherdstown Elementary and Shepherdstown Middle Schools. While the importance of walkability for students has been noted elsewhere in this Plan, a change in land use classifications or the creation of a new Preferred Growth Area around the new Shepherdstown Campus is not suitable based on the lack of water and sewer service. In the event that water and sewer service is extended to the Shepherdstown Campus, traffic safety will need to be evaluated before considering higher intensity development. This location is a rural gateway that encourages tourism and supports the historic and cultural resources in the greater Shepherdstown area.

As data centers have developed in the region it is important to address where such development would be appropriate in Jefferson County. Data centers require large amounts of power and may require large amounts of water for their essential operation and cooling. Data centers require large buildings with cooling operations and generators, which have the potential to generate noise that most closely aligns to industrial land uses. Due to the nature of data centers, this Plan supports the development of data centers in the Industrial Commercial and Major Industrial zoning districts.

Objective 2.1

Encourage and support the adaptive reuse of existing buildings, previously used sites, dilapidated structures, and vacant buildings within Jefferson County, paying particular attention to brownfield and greyfield sites.

1. Collaborate with stakeholders to recruit new and existing businesses and industries to use existing buildings and previously used parcels for new development including business parks and commercial sites.

JCDA | 6-10 years

2. Create, publish, and maintain a directory of previously used sites, including brownfield and greyfield sites, that are good candidates for redevelopment.

JCDA • HLC | Yearly

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 2014

BY DELEGATES HANSHAW (MR. SPEAKER), RILEY,
FEHRENBACHER, ANDERSON, ZATEZALO, AKERS AND
HORNBUCKLE

(BY REQUEST OF THE EXECUTIVE)

[Passed April 12, 2025; in effect 90 days from
passage (July 11, 2025)]

1 AN ACT to amend and reenact §5B-2-21, §24-2-1d, §24-2-1q, §24- 2-15, §24-2-19, and §24-2-
2 21a of the Code of West Virginia, 1931, as amended; to amend the code by adding four
3 new sections, designated §5B-2-21a, §5B-2-21b, §5B-2N-2a, and §11B-2- 33, and to
4 amend the code by adding a new article, designated §11-6N-1, §11-6N-2, §11-6N-3, §11-
5 6N-4, and §11-6N-5, all relating to the generation and consumption of electric power;
6 establishing the certified microgrid development program; providing for microgrid
7 certification requirements; providing for microgrid electric service requirements; providing
8 for microgrid customer eligibility; providing for microgrid special contracts; prohibiting
9 microgrids from participating in Pilot and tax increment financing programs; defining
10 microgrid property subject to property tax; providing for microgrid letter of intent, notice
11 period and negotiation; providing for microgrid special contracts; establishing the high
12 impact data center program; providing for notification, certification, and recordkeeping;
13 authorizing certain agencies to assist certified microgrid districts and certified high impact
14 data centers; prohibiting local jurisdiction regulation of microgrid districts and high impact
15 data centers; providing for payment of certain fees and taxes; providing for certain services
16 to microgrid districts and certified high impact data centers; establishing the electric grid
17 stabilization and security fund and its purpose; creating new article relating to special
18 method for valuation of certain high technology property; defining terms; providing for
19 microgrid districts and certified high impact data centers property returns to be filed with
20 Board of Public Works; providing for special rules for tax distribution; establishing certain
21 funds to receive distributions; terminating article; establishing the personal income tax
22 reduction fund and providing for purpose; providing for additional duties of public service
23 commission 2 relating to future electric generating capacity, base fuel coal supply for
24 electric grid resiliency, consumer rate relief bonds, and automatic adjustment clauses,
25 price indexes, or fuel adjustment; providing for rulemaking; and providing that certain
26 funds may not be used by a public utility to close or cease operations at an electric
27 generating plant.

Be it enacted by the Legislature of West Virginia:

CHAPTER 5B. ECONOMIC DEVELOPMENT ACT OF 1985.

ARTICLE 2. DEPARTMENT OF ECONOMIC DEVELOPMENT.

§5B-2-21. Certified Microgrid Development Program.

1 (a) *Program established.* — The Certified Microgrid Development Program is hereby
2 created and is to be administered as a program within the Division of Economic Development to
3 encourage the continued development, construction, operation, maintenance, and expansion in
4 West Virginia of high impact i plants and facilities, in certain circumstances where the availability
5 of electricity generated is demonstrated to be necessary. In order to effectuate the purposes of
6 this section, the Division of Economic Development, or any agency, division, or subdivision
7 thereof, may propose for promulgation of legislative rules, including emergency rules, in
8 accordance with §29A-3-1 *et seq.* of this code.

9 (b) *District certification.* — The Secretary of the Department of Commerce may identify
10 and certify microgrid districts in this state upon a finding that the following requirements are met:

11 (1) Certification of the microgrid district and location of new or expanded businesses within
12 the microgrid district will have a significant and positive economic impact on the state;

13 (2) Certification of the microgrid district is necessary to attract at least two businesses to
14 locate or expand in this state;

15 (3) The area to be certified as a microgrid district shall be no greater than 2,250 acres and
16 nearly contiguous;

17 (4) The electricity generated within the microgrid district will be used only within the
18 microgrid district or delivered to the wholesale market;

19 (5) The information described in §5B-2-21(h) of this code has been provided to the
20 Department of Commerce;

21 (6) The requirements of §5B-2-21(i) of this code have been satisfied; and

22 (7) The requirements of §5B-2-21(b)(5) and (6) of this code may not apply to microgrid
23 districts certified on or before January 1, 2024;

24 (8) The requirements of subsections (d), (e), (g), (h), and (j) of this section enacted during
25 the regular session of the Legislature, 2025, shall not apply to any microgrid district certified on
26 or before January 1, 2024, or any special contract entered into and approved by the Public Service
27 Commission on or before January 1, 2025. No amendments to this section enacted during the
28 regular session of the Legislature, 2025, shall be interpreted to remove an existing microgrid
29 district certification.

30 The Secretary of the Department of Commerce may not certify more than two microgrid
31 districts: *Provided*, That this limit on certifying microgrid districts shall not apply to any microgrid
32 district wherein greater than 70% of the electricity generated within the microgrid district is
33 consumed by one or more high impact data centers, as defined in §11-6N-2 of this code, or will
34 be consumed by one or more high impact data centers, when such data centers are completed
35 and fully operational. A designation made pursuant to this section by the secretary as to the
36 certification of a microgrid district is final.

37 (c) *Providing electric service within a certified microgrid district.* — Within a microgrid
38 district, any person, firm, corporation, or entity or their lessees and tenants seeking to provide
39 electric service through the generation or distribution of electricity within the microgrid district to
40 businesses locating within the microgrid district may:

41 (1) Not be subject to the jurisdiction of the Public Service Commission with respect to
42 rates, obtaining a certificate of convenience and necessity, conditions of service or complaints
43 pursuant to chapter 24 of this code;

44 (2) Not be subject to the net metering and interconnection standards as set forth in §24-
45 2F-8 of this code;

46 (3) Elect to qualify as an exempt wholesale generator under federal law for purposes of
47 furnishing electric service through the generation of electricity to a utility or regional transmission

48 organization without being subject to the Public Service Commission's siting certificate
49 requirements as set forth in §24-2-1(d), §24-2-11c, or §24-2-1o of this code;

50 (4) Provide any such electric service to businesses making a capital investment in a new
51 or expanded facility located within the certified microgrid district;

52 (5) Not provide any such electric service for purposes of encouraging businesses already
53 receiving electric service from a regulated utility in this state to relocate to the certified microgrid
54 district; and

55 (6) Not deliver outside the microgrid district more than 10% of the electricity generated
56 within the certified microgrid district and only delivered to the wholesale market.

57 (d) *Microgrid customers; eligibility.* — In order to take advantage of the provisions of this
58 section, a plant or facility choosing to locate and operate within a microgrid district must constitute
59 new electric load. Any owner, lessee, or tenant of a plant or facility that has not previously received
60 electric service from a regulated public electric utility located within this state, or who is making a
61 capital investment in a new facility within the microgrid district shall be considered eligible new
62 electric load. Electric service to any such plant or facility shall be considered new electric load so
63 long as any customer making a new capital investment within the microgrid district does not
64 decrease the load of an existing facility outside the microgrid district in this state in conjunction
65 with the new capital investment within the microgrid district, and regardless of whether or not a
66 person or entity previously received service from a public electric utility at or near the same
67 location prior to the certification of the microgrid district.

68 An eligible plant or facility choosing to locate and operate within a microgrid district is not
69 required to connect with and use any public electric utility: *Provided*, That any connection with
70 and use of a public electric utility for purposes of the initial construction and development within
71 the microgrid district shall not impact a plant or facility's status as new electric load in order to
72 take advantage of the provisions of this section.

73 (e) *Microgrid customers; special contracts and rates.* — After certification of a microgrid
74 district, the Public Service Commission may approve special contracts for a a microgrid customer
75 within the microgrid district. For purposes of this section, a “special contract” is:

76 (1) a written agreement between an electric utility and an eligible retail electric microgrid
77 customer within the microgrid district that is filed with the Public Service Commission and that
78 provides that an eligible retail electric microgrid customer will receive utility service on terms and
79 conditions, including rates, that vary from the utility’s tariff on file with the Public Service
80 Commission, or

81 (2) electric utility service terms and conditions, including rates, ordered by the Public
82 Service Commission that vary from the electric utility’s tariff to be in effect between a utility and
83 an eligible retail electric microgrid customer when the electric utility and the eligible retail electric
84 microgrid customer are unable to negotiate a written agreement.

85 A microgrid customer seeking a special contract shall first enter into negotiations with the
86 utility within whose service territory the microgrid district is located regarding the terms and
87 conditions of a mutually agreeable special contract. If the negotiations result in an agreement
88 between the microgrid customer and the utility within 120 days, the microgrid customer and the
89 utility shall jointly file with the Public Service Commission the special contract. If the negotiations
90 are unsuccessful in the 120-day period, the microgrid customer may file a petition with the Public
91 Service Commission to consider establishing a special contract. The Public Service Commission
92 shall consider all relevant factors in establishing a special contract. Upon the filing of a petition
93 pursuant to this section, the Public Service Commission shall establish a special contract for the
94 provision of requested service, including backup and supplemental service to a microgrid
95 customer within the microgrid district. Microgrid customers’ load within the microgrid district not
96 covered by a contract for back up and supplemental service shall be considered non-firm and
97 interruptible. The Public Service Commission shall establish a special contract upon the filing of
98 a petition pursuant to this section and shall do so within 90 days of filing.

99 (f) *Electrical infrastructure costs.* — Regulated electric utility customers shall not bear any
100 costs including, but not limited to, construction, operational, ancillary services, grid-related,
101 energy-related, or capacity-related costs, associated with any electricity generation, transmission
102 or distribution facilities that provide electrical service to a microgrid district. Any costs of this nature
103 are to be borne by the generator or electricity consumers situated within the microgrid district.

104 (g)(1) *Payment In Lieu Of Taxes Electricity Generation and Distribution.* — Notwithstanding
105 the provisions of §5D-1-14, §7-5-13, §7-11B-3(b), §7-11B-8(c)(4), §7-11B-15(a)(7), §7-11B-
106 15(a)(15), §7-11B-18, §8-19-4, §8-29A-7, §8A-12-12, §11-13-2p, §11-13C-5(l)(1)(A), §16-13A-
107 21, §16-15-18(b)(6), §17-16A-16(b), §17-16B-20(b), §18-9A-12(c), § 31-21-5, and §31-21-15 of
108 this code, or any other provision of this code, no payment in lieu of taxes shall be entered into
109 with relation to the property of any electricity generating plant, facility, or generating unit or any
110 property comprising, in whole or in part, any electricity distribution apparatus, equipment, lines or
111 facilities (A) located in the county and (B) directly or indirectly dedicated to providing electric power
112 to any plant, facility or property subject to this subsection. Nor shall any payment in lieu of taxes
113 be entered into with relation to any leasehold interest or any other property interest related thereto.

114 (2) *Tax Increment Financing.* — Notwithstanding the provisions of §7-11B-1 *et seq.* of this
115 code, or any other provision of this code, no tax increment financing project, plan or arrangement
116 shall be entered into or undertaken with relation to any electricity generation or distribution
117 property subject to this subsection.

118 (3) For purposes of this subsection, an electricity generating plant, facility, or generating
119 unit or electricity distribution apparatus, equipment, lines, or facilities shall be deemed to be
120 "dedicated" to providing electric power to any plant, facility, or property subject to this subsection
121 if not less than 75% of the output of the electricity generation property or electricity distribution
122 property, measured in kilowatt hours, are used to supply electricity to a facility, project, or series
123 of related or integrated facilities within the county or counties subject to this subsection.

124 (4) For purposes of this section, property includes all real property, all buildings and
125 structures affixed to land, and all tangible personal property, including, but not limited to
126 equipment, inventories and mobile equipment, and also including property subject to special
127 salvage valuation under §11-6A-1 *et seq.*, §11-6E-1 *et seq.*, §11-6H-1 *et seq.*, §11-6J-1 *et seq.*,
128 §11-6F-1 *et seq.*, and §11-6L-1 *et seq.* of this code, or any other special *ad valorem* property
129 valuation provision of this code; *Provided*, That property subject to special valuation shall be
130 allowed that special valuation as authorized by law, for purposes of calculating and determining
131 the *ad valorem* property tax imposed with relation thereto, notwithstanding being otherwise
132 subject to the provisions of this section.

133 (h) *Microgrid District Development; Letters of Intent.* — To become a certified microgrid
134 district under this section, the person or entity must present the Secretary of the Department of
135 Commerce with a confidential letter of intent. The letter of intent shall include sufficient economic,
136 financial, and engineering information concerning the proposed project with sufficient detail to
137 adequately inform the department of the size, scope, and nature of the target customers of the
138 project, including, without limitation, the approximate proposed acreage and location, estimated
139 capital investment, evidence of financial capacity, estimated project completion date, major
140 project milestones, estimated generation capacity, estimated power loading internal to the
141 microgrid, estimated power, including backup power, needed from the local distribution electric
142 utility, estimated power supplied to the wholesale market, and the types or sources of each electric
143 power generation unit. The letter of intent and all supplied information shall be held in confidence
144 pursuant to §5B-2-21a(e) of this code by the department.

145 (i) *Microgrid District Development; Notice Period and Negotiation.* — At least 120 days
146 before submitting a letter of intent and other materials to the department, an applicant seeking a
147 microgrid district certification must make good faith efforts to negotiate for the supply of all or part
148 of its electricity needs for the project from the local distribution electric utility. The letter of intent
149 must also include documentation evidencing the good faith efforts to negotiate. This time-period

150 limitation and negotiation requirement does not apply to microgrid districts proposing to produce
151 300 megawatts or more of electricity or for microgrid districts that are proposing to not be
152 connected in any way to the local distribution electric utility after completion of all construction.

153 (j) *Microgrid District Development; Special Contracts and Power Rates.* — (1) A certified
154 microgrid district seeking a special contract from a local distribution electric utility located in the
155 state shall first enter negotiations for not more than 120 days with the local distribution utility
156 regarding the terms and conditions of a special contract. The microgrid district shall provide
157 reasonable access and terms to the local distribution utility to enable the electric utility's
158 transmission and/or distribution facilities to tie into those of the microgrid district. The 120-day
159 negotiation period required by this section may be satisfied by the precertification negotiation
160 period required by §5B-2-21(i) of this code.

161 (2) If the negotiations result in a mutually agreeable special contract, the contracting
162 parties shall jointly file the special contract pursuant to the rules of the commission.

163 (3) If negotiations for a special contract with the local distribution utility are unsuccessful,
164 a certified microgrid district may file a petition with the commission to establish a special contract.

165 (4) The commission shall establish a special contract upon the filing of a petition pursuant
166 to this section. The Public Service Commission shall consider all relevant factors in establishing
167 special contracts. The Public Service Commission shall establish a special rate for the requested
168 service, including backup and supplemental service to a microgrid district. The microgrid district's
169 load not covered by a contract shall be considered non-firm and interruptible. The commission
170 shall issue a final order determining the terms of a special contract within 90 days of filing of a
171 petition.

§5B-2-21a. Data Centers.

1 (a) *Findings and purpose.* — The Legislature hereby finds and declares the following:

2 (1) Data centers represent a significant and growing sector of the economy, generating
3 substantial economic activity, including jobs, infrastructure investments, and technological
4 innovation.

5 (2) Data centers are critical national infrastructure that require abundant, low-cost energy
6 to protect sensitive data, operate high-level computation assets, and ensure the resilience of the
7 digital economy.

8 (3) The People's Republic of China is positioning itself to be the global leader of data
9 centers and is investing in technology to encourage the flow of data toward China instead of
10 toward the United States.

11 (4) It is in the United States' national security interests to limit the flow of data to China
12 and to protect the flow of data and maximize computational power inside the United States. The
13 President has declared that it is the policy of the United States "to sustain and enhance America's
14 global AI dominance in order to promote human flourishing, economic competitiveness and
15 national security." Removing Barriers to American Leadership in Artificial Intelligence, Executive
16 Order 14179 (Jan 23, 2025).

17 (5) As of early 2025, the highest concentration of high-level computational power and data
18 centers in the world is located in Loudoun County, Virginia. This severe concentration of data
19 centers in one location is a national security vulnerability because it invites the potential for
20 cyberattacks and espionage against the Nation's critical data infrastructure.

21 (6) Data centers have historically obtained their electricity from the electric grid. Some
22 data center developers now seek or require the use of microgrids to provide their primary and
23 backup power.

24 (7) West Virginia is strategically positioned as the best location in the United States to
25 place data centers due to: (A) its close proximity to Washington, D.C., and the federal government;
26 (B) its close proximity to the majority of the Nation's population; (C) its low tax rates; (D) it having
27 the least restrictive regulatory environment in the Nation; (E) its supply of abundant energy and

28 natural resources to power the data centers; (F) its supply of resources, such as coal mine
29 methane blended with natural gas, to assist data centers locating in West Virginia to meet their
30 energy needs and environmental goals; and (G) its skilled and loyal workforce that has some of
31 the lowest turnover rates in the Nation.

32 As such, the state has a significant interest in encouraging the development and
33 expansion of data centers, which can serve as drivers of broader economic growth. The
34 Legislature finds that these externalities transcend local borders, including environmental
35 concerns, energy consumption, and regional economic growth. Additionally, the provisions in this
36 section align with the Legislature's goal of fostering a competitive, forward-thinking economy that
37 benefits all residents.

38 (b) *Program established.* — The High Impact Data Center Program is hereby created and
39 is to be administered as a program within the Division of Economic Development to encourage
40 the continued development, construction, operation, maintenance, and expansion in West
41 Virginia of high impact data centers. In order to effectuate the purposes of this section, the Division
42 of Economic Development, or any agency, division, or subdivision thereof, may promulgate
43 legislative rules, including emergency rules, in accordance with §29A-3-1 *et seq.* of this code.

44 (c) *Notification.* — Any data center shall compare its current or planned operations against
45 the definition of "high impact data center" established in §11-6N-2 of this code and provide
46 notification to the Division of Economic Development when the data center becomes aware that
47 it will satisfy or has satisfied that definition. The notification will include information addressing
48 the elements of that definition, including known or expected power consumption of the data
49 center. This notification shall be made (1) within 30 days after the data center determines that it
50 meets these requirements, or (2) when the data center reasonably anticipates that it will, at some
51 future date, meet these requirements, in which case the data center may provide that anticipated
52 future date in its notification.

53 (d) *Certification.* — The Secretary of the Department of Commerce shall identify and certify
54 high impact data centers in this state upon a finding that a data center satisfies the requirements
55 for the definition of "high impact data center" set forth in §11-6N-2 of this code. The Secretary
56 shall issue confirmation of certification to a high impact data center within 14 days following receipt
57 of the notification from the data center required by this section.

58 (e) *Recordkeeping.* — Any information provided by a data center pursuant to this section
59 that is identified by the data center as confidential business information shall be exempt from the
60 Freedom of Information Act. The Secretary shall take reasonable and appropriate steps to protect
61 this information. Notwithstanding the foregoing, the Secretary shall maintain a complete list of all
62 certified high impact data centers and all relevant information that can be made available to the
63 Governor and Legislature, removing specifically identifying information to ensure confidentiality
64 of any such information as identified by any high impact data center.

§5B-2-21b. Authority to assist certified microgrid district projects and certified high impact data center projects; legislative findings.

1 (a) *Findings and purpose.* — The Legislature hereby finds and declares the following:

2 (1) The findings and purpose set forth in §5B-2-21a(a) (2025), except to the extent
3 expressly modified herein, are hereby incorporated herein by reference with the same force and
4 effect as though fully set forth herein.

5 (2) It is in the best interests of the state to induce and assist in development of these
6 projects, in order to advance the public purposes of relieving unemployment by preserving and
7 creating jobs, and preserving and creating new and greater sources of revenue for the support of
8 public services provided by the state and local government.

9 (3) It is the intent of the Legislature to occupy the whole field of the creation and regulation
10 of certified microgrid districts and certified high impact data centers. The stated purpose of this
11 section is to promote uniform and consistent application of the act within the state.

12 (b) The Department of Commerce shall assist projects developing or operating a certified
13 microgrid district pursuant to §5B-2-21 of this code or a certified high impact data center pursuant
14 to §5B-2-21a of this code. The Secretary of Commerce shall designate one of their personnel as
15 "Data Economy Liaison" to serve as a single point-of-contact for certified microgrid districts and
16 high impact data centers to assist coordinate and expedite their development and operation,
17 including, but not limited to site selection and permitting. A "certified microgrid district" is a
18 microgrid project, regardless of stage of development or operation, that has been certified by the
19 Secretary of the Department of Commerce as set forth in §5B-2-21 of this code. A "certified high
20 impact data center" is a data center project, regardless of stage of development or operation, that
21 has been certified by the Secretary of the Department of Commerce as set forth in §5B-2-21a of
22 this code.

23 (c) This section prohibits:

24 (1) Counties and municipalities, whether by ordinance, resolution, administrative act, or
25 otherwise, from enacting, adopting, implementing, or enforcing ordinances, regulations, or rules
26 which limit, in any way, the creation of, and acquisition, construction, equipping, development,
27 expansion, and operation of any certified microgrid district or certified high impact data center
28 project; and

29 (2) Counties and municipalities from imposing or enforcing local laws and ordinances
30 concerning the creation or regulation of any certified microgrid district or certified high impact data
31 center therein.

32 (d) In accordance with §5B-2-21(b) and §5B-2-21(c) of this code, and notwithstanding any
33 provision of this code to the contrary, or any municipality's home rule powers with respect to
34 ordinances and ordinance procedures, including any authority pursuant to the Municipal Home
35 Rule Program under §8-1-5a of this code, certified microgrid districts and certified high impact
36 data centers may not be subject to the following:

37 (1) County or municipal zoning, horticultural, noise, viewshed, lighting, development, or
38 land use ordinances, restrictions, limitations, or approvals;

39 (2) County or municipal building permitting, inspection, or code enforcement;

40 (3) County or municipal license requirements;

41 (4) The legal jurisdiction of the county or municipality in which the certified microgrid district
42 or certified high impact data center is entirely or partially located, except as specifically provided
43 in this article;

44 (5) Any requirement under state law for the consent or approval of the municipality in which
45 a certified microgrid district or certified high impact data center is entirely or partially located of
46 any state or county action pursuant to this code, specifically including, but not limited to, §7-11B-
47 1 *et seq.* of this code, for formal consent of the governing body of a municipality for county or
48 state action regarding the establishment of tax increment financing development or
49 redevelopment districts or the approval of tax increment financing development or redevelopment
50 plans.

51 (e) Notwithstanding the creation of a certified microgrid district or a certified high impact
52 data center, the owner, operator, or manager, as applicable, and all tenants, lessees or licensees
53 thereof, of a certified microgrid district or a certified high impact data center shall:

54 (1) Pay business and occupation tax, if applicable, pursuant to §8-13-5 of this code, to the
55 municipality in the same manner as any other business or commercial venture located within the
56 municipality;

57 (2) Collect and remit municipal sales and service tax and municipal use tax, if applicable,
58 pursuant to §8-1-5a, §8-13C-4, and §8-13C-5 of this code, to the municipality in the same manner
59 as any other business or commercial venture located within the municipality;

60 (3) Pay ad valorem real and personal property tax pursuant to the same millage rates as
61 any other business or commercial venture located within the county and municipality;

62 (4) Pay all municipal service fees enacted pursuant to §8-13-13 of this code, including, but
63 not limited to, fire, police, sanitation, or city service fees;

64 (5) Pay all utility rates, fees, and charges for utilities used or consumed during construction
65 and operation of premises within the certified microgrid district or certified high impact data center,
66 including, but not limited to, water, sewer, stormwater, and garbage and recycling collection:
67 *Provided, That (A) The rates, fees, and charges for such services shall be based on the cost of*
68 *providing such service and the utility shall enter into a contract under the rules of the Public*
69 *Service Commission for each such service with the developer and file the special contract with*
70 *the Public Service Commission; and (B) the developer shall only be required to pay any capacity*
71 *improvement fee or impact fee to the extent that capital additions, betterments, and improvements*
72 *must be designed, acquired, constructed, and equipped by the utility to provide such service to*
73 *the project; Utility customers outside of the microgrid district shall not bear any construction or*
74 *operational costs associated with any new utility property built solely to provide service within a*
75 *microgrid district;*

76 (6) Be entitled to municipal police protection and municipal fire protection, if available, in
77 the same manner as any other business or commercial venture located within the municipality;
78 and

79 (7) Design, acquire, construct, and equip the certified microgrid district or certified data
80 center pursuant to the State Building Code in accordance with §8-12-13 of this code and the
81 corresponding State Rule 87 CSR 4.

82 (f) The Department of Commerce, Department of Environmental Protection, and
83 Department of Transportation may take actions necessary in support of the development of any
84 certified microgrid district or certified data center, including, but not limited to, the development or
85 improvement of such highways, roads, thoroughfares, and sidewalks within any county or

86 municipality in which the certified microgrid district or certified data center is partially or entirely
87 located.

88 (g) In order to effectuate the purposes of this section, the Department of Commerce, or
89 any agency, division, or subdivision thereof, may promulgate legislative rules, including
90 emergency rules, in accordance with §29A-3-1 *et seq.* of this code.

ARTICLE 2N. GRID STABILIZATION AND SECURITY ACT OF 2023.

§5B-2N-2a. Creating the Electric Grid Stabilization and Security Fund.

1 (a) The Electric Grid Stabilization and Security Fund is hereby created. The fund shall be
2 administered by the Department of Commerce and shall consist of all moneys made available for
3 the purposes and from the sources set forth in this section of the code.

4 (b) The fund consists of moneys received from the following sources:

5 (1) All moneys received pursuant to §11-6N-4(b)(4)(C) of this code;

6 (2) All appropriations provided by the Legislature;

7 (3) Any moneys available from external sources; and

8 (4) All interest and other income earned from investment of moneys in the fund.

9 (c) The Department of Commerce shall use moneys in the fund to provide support for
10 electric grid stabilization for regulated utilities and grid security, including development, efficiency,
11 and environmental upgrades, but not decommissioning and replacement of existing facilities;
12 maintenance of utility owned and operated coal and natural gas electric generation, regardless of
13 unit or plant ownership by different regulatory jurisdictions; and transmission resources which
14 solely serve West Virginia rate payers.

15 (d) Any balance, including accrued interest and any other returns, in the Electric Grid
16 Stabilization and Security Fund at the end of each fiscal year may not expire to the General
17 Revenue Fund but remain in the fund and be expended for the purposes provided by this section.

18 (e) Fund balances may be invested with the state's Consolidated Investment Fund.
19 Earnings on the investments shall be used solely for the purposes defined in §5B-2-16(c) of this
20 code.

21 (f) In order to effectuate the purposes of this section, the Department of Commerce may
22 promulgate legislative rules, including emergency rules, in accordance with §29A-3-1 *et seq.* of
23 this code.

CHAPTER 11. TAXATION.

ARTICLE 6N. SPECIAL METHOD FOR VALUATION OF CERTAIN HIGH- TECHNOLOGY PROPERTY.

§11-6N-1. Legislative findings and purpose.

1 The Legislature hereby finds and declares the following:

2 The findings and purpose set forth in §5B-2-21a(a) (2025) (except to the extent expressly
3 modified herein) are hereby incorporated herein by reference with the same force and effect as
4 though fully set forth herein.

§11-6N-2. Definitions.

1 (a) *General* — When used in this article, words defined in §11-6N-2(b) of this code have
2 the meanings ascribed to them in this section, except in those instances where a different
3 meaning is provided in this article or the context in which the word is used clearly indicates that a
4 different meaning is intended by the Legislature.

5 (b) *Definitions* — For purposes of this section, the following terms shall mean:

6 (1) "Affiliated group" means one or more chains of corporations, limited liability entities, or
7 partnerships, or any combination thereof, connected through the ownership of stock or ownership
8 interests with a common parent which is a corporation, limited liability entity, or partnership, but
9 only if the common parent owns directly, or indirectly, a controlling interest in each of the members
10 of the group.

11 (2) "Base assessed value" means the taxable assessed value of all data center property
12 of a high impact data center as shown upon the landbooks and personal property books of the
13 assessor on July 1 of the calendar year preceding certification as a high impact data center.

14 (3) "Current assessed value" means the annual taxable assessed value of all data center
15 property of a high impact data center as shown upon the landbook and personal property records
16 of the assessor.

17 (4) "Critical IT load" means that portion of electric power capacity, expressed in terms of
18 megawatts, which is reserved solely for owners or tenants of a data center to operate their
19 computer server and required supporting equipment.

20 (5) "Data center property" means property used exclusively at a data center to construct,
21 outfit, operate, support, power, cool, dehumidify, secure, or protect a data center and any
22 contiguous dedicated substations. The term includes, but is not limited to, construction materials,
23 component parts, machinery, equipment, computers, servers, installations, redundancies, and
24 operating or enabling software, including any replacements, updates and new versions, and
25 upgrades to or for such property, regardless of whether the property is a fixture or is otherwise
26 affixed to or incorporated into real property.

27 (6) "High Impact Data Center" means a facility or group of facilities that:

28 (A) Consists of one or more parcels in this state, along with the buildings, substations
29 and other infrastructure, fixtures, and personal property located on the parcels;

30 (B) Is owned, operated, or leased by an entity or affiliated group of entities;

31 (C) Is used to house and operate equipment that receives, stores, aggregates, manages,
32 processes, transforms, retrieves, researches, or transmits data; or that is necessary for the proper
33 operation of equipment that receives, stores, aggregates, manages, processes, transforms,
34 retrieves, researches, or transmits data;

35 (D) Has a critical IT load in the aggregate of 90 megawatts total or higher; and

36 (E) Is placed into service on or after July 1, 2025.

37 (7) "Incremental value", for any high impact data center, means the difference between
38 the base assessed value and the current assessed value. The incremental value will be positive
39 if the current value exceeds the base value, and the incremental value will be negative if the
40 current value is less than the base assessed value.

41 (8) "Microgrid power generator" includes any entity supplying power under the rules
42 provided in §5B-2-21 of this code to a high impact data center.

43 (9) "Microgrid power generator property" means and includes any and all property used
44 by microgrid power generator within a certified microgrid district.

45 (10) "Situs county" means the county or counties in which any High Impact Data Center
46 property subject to tax is located, in relative proportion to the amount of data center property
47 located therein.

48 (11) "Tax increment" means the amount of regular levy property taxes attributable to the
49 amount by which the current assessed value of real and tangible personal property that is data
50 center property of a high impact data center exceeds the base assessed value of the property.

§11-6N-3. Returns of property of high impact data centers to Board of Public Works.

1 (a) On or before May 1 in each year, a return in writing shall be filed with the Board of
2 Public Works: By the owner or operator of any company holding data center property of a high
3 impact data center or a microgrid power generator supplying microgrid power to a high impact
4 data center.

5 (b) The words "owner or operator," as applied herein to high impact data centers, shall
6 include any owner or operator of a high impact data center or microgrid power generator.

7 (c) The return shall be signed and sworn to by the owner or operator if a natural person,
8 or, if the owner or operator shall be a corporation, shall be signed and sworn to by its president,
9 vice president, secretary, or principal accounting officer.

10 (d) The return required by this section of every owner or operator shall cover the year
11 ending on December 31, next preceding, and shall be made on forms prescribed by the Board of

12 Public Works, which board is hereby invested with full power and authority and it is hereby made
13 its duty to prescribe the forms required from any owner or operator herein mentioned information
14 as in the judgment of the board may be of use to it in determining the true and actual value of the
15 properties of the owners or operators.

16 (e) Except for the special rules for tax distribution provided in §11-6N-4 of this code, the
17 provisions of this article are subject to the Assessment of Public Service Businesses, set forth in
18 §11-6-1, *et seq.* of this code, as if the provisions thereof were set forth in extenso in this article.

§11-6N-4. Special Rules for Tax Distribution of High Impact Data Centers.

1 (a) On and after July 1, 2025, any property subject to valuation under §11-6N-3 of this
2 code shall be subject to the rules on tax distribution provided under this section.

3 (b) The State Auditor shall maintain a separate and discrete accounting of each High
4 Impact Data Center project regarding tax distribution provided in this section and any distribution
5 to which a county is entitled as provided by this section shall be distributed directly to the situs
6 county for each project.

7 (c) *Ad Valorem* Property Tax Distribution — The provisions of this subsection are
8 applicable to all data center property of a high impact data center upon certification as a high
9 impact data center per §11-6N-2 of this code.

10 (1) For so long as the high impact data center exists, the State Auditor shall divide the *ad*
11 *valorem* property tax revenue collected, with respect to taxable data center property of a high
12 impact data center as follows:

13 (A) The amount of *ad valorem* property tax revenue that should be generated by
14 multiplying the assessed value of the property for the then current tax year by the aggregate of
15 applicable levy rates for the tax year;

16 (B) The amount of *ad valorem* property tax revenue that should be generated by
17 multiplying the base assessed value of the property by the applicable regular ad valorem levy
18 rates for the tax year;

19 (C) The amount of *ad valorem* tax revenue that should be generated by multiplying the
20 base assessed value of the property for the current tax year by the applicable levy rates for
21 general obligation bond debt service for the tax year;

22 (D) The amount of *ad valorem* property tax revenue that should be generated by
23 multiplying the current assessed value of the property for the current tax year by the applicable
24 excess levy rates for the tax year; and

25 (E) The amount of *ad valorem* property tax revenue that should be generated by
26 multiplying the incremental value by the applicable regular levy rates for the tax year.

27 (2) The State Auditor shall determine from the calculations set forth in subdivision (1) of
28 this subsection the percentage share of total *ad valorem* revenue for each levying body according
29 to paragraphs (B) through (D), inclusive, of said subdivision by dividing each of such amounts by
30 the total *ad valorem* revenue figure determined by the calculation in paragraph (A) of said
31 subdivision; and

32 (3) On each date on which *ad valorem* tax revenue is to be distributed to the levying
33 bodies, such revenue shall be distributed by:

34 (A) Applying the percentage share determined according to paragraph (B), subdivision (1)
35 of this subsection to the revenues received and distributing such share to the levying bodies
36 entitled to such distribution pursuant to current law;

37 (B) Applying the percentage share determined according to paragraph (C), subdivision (1)
38 of this subsection to the revenues received and distributing such share to the levying bodies
39 entitled to such distribution by reason of having general obligation bonds outstanding;

40 (C) Applying the percentage share determined according to paragraph (D), subdivision (1)
41 of this subsection to the revenues received and distributing such share to the levying bodies
42 entitled to such distribution by reason of having excess levies in effect for the tax year; and

43 (D) Applying the percentage share determined according to paragraph (E), subdivision (1)
44 of this subsection to the revenues received and distributing such share to a fund dedicated at the
45 time of construction of a high impact data center.

46 (4) In each year for which there is a positive tax increment, the State Auditor shall remit
47 that portion of the *ad valorem* property taxes collected that consists of the tax increment and shall
48 be distributed as follows:

49 (A) 50 percent of the increment shall be placed in the Personal Income Tax Reduction
50 Fund provided in §11B-2-33 of this code;

51 (B) 30 percent of the increment to the situs county as defined in this article;

52 (C) 10 percent of the increment to all counties on a per capita basis according to the most
53 recent census;

54 (D) 5 percent of the increment shall be placed Economic Enhancement Grant Fund
55 administered by the Water Development Authority provided in §22C-1-6a; and

56 (E) 5 percent of the increment shall be placed in the Electric Grid Stabilization and Security
57 Fund provided in §5B-2N-2a.

58 (5) (A) *Payment In Lieu Of Taxes, Increment Property* — Notwithstanding the provisions
59 of §5D-1-14, §7-5-13, §7-11B-3(b), §7-11B-8(c)(4), §7-11B-15(a)(7), §7-11B-15(a)(15), §7-11B-
60 18, §8-19-4, §8-29A-7, §8A-12-12, §11-13-2p, §11-13C-5(l)(1)(A), §16-13A-21, §16-15-18(b)(6),
61 §17-16A-16(b), §17-16B-20(b), §18-9A-12(c), §31-21-5, and §31-21-15 of this code, or any other
62 provision of this code, no payment in lieu of taxes shall be entered into with relation to any property
63 subject to this section or any leasehold interest related thereto, or any other property interest
64 related thereto.

65 (B) *Tax Increment Financing, Increment Property* — Notwithstanding the provisions of §7-
66 11B-1 *et seq.* of this code, or any other provision of this code, no tax increment financing project,

67 plan or arrangement shall be entered into or undertaken with relation to any property subject to
68 this section.

§11-6N-5. Termination.

1 The provisions of this article shall sunset, expire, and be of no force and effect on or after
2 December 31, 2055.

CHAPTER 11B. DEPARTMENT OF REVENUE

ARTICLE 2. STATE BUDGET OFFICE.

§11B-2-33. Personal Income Tax Reduction Fund.

1 (a) The personal income tax reduction fund is hereby established. The personal income
2 tax reduction fund shall be funded continuously and on a revolving basis in accordance with this
3 section, with all interest or other earnings on the moneys therein credited to the fund. The personal
4 income tax reduction fund shall be funded as provided in §11-6N-4(b)(4) of this code. Moneys in
5 the personal income tax reduction fund may be expended solely for the purposes set forth in this
6 section.

7 (b) Notwithstanding any other provision of this code to the contrary, on or before the last
8 day of any fiscal year, the net proceeds of the personal income tax reduction fund will be certified
9 and included as a portion of adjusted general revenue fund collections under the provisions of
10 §11-21-4h of this code for that fiscal year.

11 (c) Not later than 60 days following the certification, the Secretary of Revenue shall
12 transfer the certified amount determined in subsection (b) of this section to the general revenue
13 fund. The amounts transferred will not be included as a portion of adjusted general revenue fund
14 collections under the provisions of §11-21-4h of this code for the fiscal year in which the money
15 is transferred.

16 (d) The moneys in the income tax reduction fund shall be made available to the West
17 Virginia Board of Treasury Investments and to the West Virginia Investment Management Board
18 for management and investment of the moneys in accordance with the provisions of §12-6C-1 *et*
19 *seq.* of this code in such amounts as may be directed in the discretion of the Secretary of

20 Revenue. Any balance of the income tax reduction fund, including accrued interest and other
21 return earned thereon at the end of any fiscal year, shall not revert to the General Fund but shall
22 remain in the income tax reduction fund for the purposes set forth in this section.

23 (e) Termination – Upon the certification of a reduction in the personal income tax under
24 the provisions of §11-21-4h of this code that results in the elimination of the personal income tax,
25 or if the personal income tax provided for under §11-21-1 *et seq.* is eliminated by separate
26 enactment of the Legislature, this fund will be thereby eliminated and any monies dedicated
27 thereto shall be dedicated to the general revenue of the state.

CHAPTER 24. PUBLIC SERVICE COMMISSION.

ARTICLE 2. POWERS AND DUTIES OF PUBLIC SERVICE COMMISSION.

§24-2-1d. Future electric generating capacity requirements.

1 (a) In order to maximize the use of electricity generated within the state by using coal or
2 natural gas produced within the state, the Public Service Commission shall by order, no later than
3 December 31, 1989, establish the schedule and amount of future electric generating capacity
4 additions required by each West Virginia electric utility, for the next ten years, taking into account:
5 (i) Projected load growth; (ii) existing generating capacity; (iii) existing contractual commitments
6 to sell or purchase capacity; (iv) planned retirement and life extensions of existing capacity; (v)
7 planned construction of capacity; (vi) availability of capacity from generating units of affiliated
8 companies; (vii) capacity factors for existing generation; and (viii) such other reasonable factors
9 as the commission may deem relevant and appropriate to consider. For purposes of this section,
10 "capacity factor" shall mean the ratio of the actual energy produced by a power plant over a
11 specific period to the maximum possible energy it could have produced if running at full capacity
12 during that same period.

13 (b) If the commission determines after considering all such named and other relevant and
14 appropriate factors that a utility will be required to purchase electric generating capacity beyond
15 those agreements approved by the Federal Energy Regulatory Commission or the West Virginia
16 Public Service Commission in order to serve its West Virginia customers, the amount of such

17 required additional purchased capacity so identified by the commission will for purposes of this
18 section be referred to as the utility's "projected deficient capacity": *Provided*, That this subsection
19 shall not include power generating facilities whose total production of electricity is sold outside
20 the State of West Virginia.

21 (c) In the interests of: Keeping utility rates of residential customers as low as possible;
22 keeping utility rates for commercial and industrial customers competitive with those of other
23 states; attracting new industry for which electric power costs are a major factor in location
24 determinations; and of not placing any greater cost burden on government than is absolutely
25 necessary for its electric power needs, each utility shall acquire, if reasonable, its projected
26 deficient capacity from electric generation situated in West Virginia which burns coal or gas
27 produced in West Virginia and which will provide the most reliable supply of capacity and energy
28 at the least cost to those customers of the utility who will be served by such electric generation:
29 *Provided*, That all power purchase contracts executed prior to the effective date of this section
30 which satisfy the following requirements, regardless of location, shall be considered, for the
31 purposes of this subsection, as electric generation situated in West Virginia: (1) Said contracts
32 were negotiated in accordance with procedures and priced according to methodologies of other
33 contracts which the commission has ordered approved; (2) said contracts either guarantee or are
34 substantially amended to guarantee for the life of the contract the use of an amount of West
35 Virginia fuel which equals or exceeds the amount which would be required, on a percentage of
36 output basis, to produce the amount of electric power to be consumed in West Virginia; and (3)
37 said contracts meet the requirements for a qualifying facility established by the Federal Energy
38 Regulatory Commission pursuant to the Public Utility Regulatory Policies Act of 1978.

39 (d) The commission shall evaluate each capacity auction conducted by PJM
40 Interconnection, LLC, or its successor and, to the maximum extent permitted by law, encourage
41 the coordination of the voluntary participation of every electric generating unit in the state in each
42 capacity auction for the benefit of ratepayers in the state.

43 (e) In order to ensure the state's existing generating units can continue to meet future
44 generation needs, the commission shall conduct a review of each generating unit's current
45 consumer economic dispatch. Factors to be considered by the commission in reviewing consumer
46 economic dispatch shall include, but not be limited to: (1) current capacity factors; (2)
47 management of fuel supplies and contracts; (3) overall plant operation and maintenance; (4)
48 placement of bids in the PJM Interconnection, LLC, or its successor's day-ahead and real-time
49 energy markets; (5) utilization of the PJM Interconnection, LLC, or its successor's Reliability
50 Pricing Model (RPM) or Fixed Resource Requirement (FRR); and (6) the utilization of automatic
51 adjustment clauses, price indexes, or fuel adjustment clauses by the utilities. For purposes of
52 this section, "consumer economic dispatch" shall mean the process of operating generation
53 facilities to produce electricity at the lowest cost while reliably meeting consumer demand,
54 considering the operational limits of generation and transmission facilities.

55 (f) Electric utilities shall be prepared to maximize the production of electricity from their
56 generating units when such self-generation will result in reduced energy costs for West Virginia
57 ratepayers. The commission shall require the utilities to maintain their thermal baseload
58 generating units in a manner to allow them to be able to self-generate and achieve at least a sixty-
59 nine percent capacity factor. Nothing herein shall require a utility to operate a generating unit at
60 a sixty-nine percent capacity if doing so will cause an increase in the charge or charges for electric
61 energy over and above the established and published tariff, rate, joint rate, charge, toll or
62 schedule. The commission shall propose rules for legislative approval in accordance with the
63 provisions of §29A-3-1 *et seq.* of this code to carry out its duties and obligations as set forth
64 herein.

§24-2-1q. Base fuel coal supply requirements for electric grid resiliency.

1 Recognizing that coal inventories at coal-fired power plants may increase and decrease
2 over time, in order to ensure grid resiliency and homeland security, each generating public utility
3 shall plan incoming and outgoing coal so as to maintain an average annual minimum 30-day
4 aggregate coal supply on site at each coal-fired power plant. The commission may propose rules

5 for legislative approval in accordance with the provisions of §29A-3-1 *et seq.* of this code to carry
6 out its duties and obligations as set forth herein.

§24-2-15. Certain Automatic adjustment clauses, price indexes or fuel adjustment.

1 The commission shall not enforce, originate, continue, establish, change or otherwise
2 authorize or permit an increase in the charge or charges for electric energy over and above the
3 established and published tariff, rate, joint rate, charge, toll or schedule as the result of any
4 automatic adjustment clause, fuel supply price index, or fuel adjustment clause. Automatic
5 adjustment clauses, fuel supply contract price indexes, or fuel adjustment clauses that do not
6 create a net increase in the charge or charges for electric energy over and above the established
7 and published tariff, rate, joint rate, charge, toll, or schedule shall be permitted by the commission.
8 For purposes of this section, a "net increase" in the charge or charges for electric service shall
9 mean that for the calendar year in which the automatic adjustment clause, fuel supply contract
10 price index, or fuel adjustment clause is utilized, the average charge or charges for electric energy
11 are higher than they would have been if the adjustment clause, fuel supply contract price index,
12 or fuel adjustment clause were not utilized. The commission shall encourage the use of permitted
13 automatic adjustment clauses, fuel supply contract price indexes, or fuel adjustment clauses as
14 a means of increasing the generation of coal-fired power plants within the state. The Commission
15 shall promulgate procedural rules governing the utilization of automatic adjustment clauses, fuel
16 supply contract price indexes, and fuel adjustment clauses.

§24-2-19. Integrated Resource Planning Required.

1 (a) Not later than March 31, 2015, the Public Service Commission shall issue an order
2 directing any electric utility that does not have an existing requirement approved by the Public
3 Service Commission that provides for the future review of both supply side and demand side
4 resources to develop an initial integrated resource plan to be filed not later than January 1, 2016,
5 in conjunction with other similar deadlines required by other states or entities of the electric
6 utilities. This order may include guidelines for developing an integrated resource plan.

7 (b)(1) Any electric utility that has an existing requirement approved by the Public Service
8 Commission that provides for the future review of both supply side and demand side resources is
9 exempt from this initial integrated resource plan filing until such time as that existing requirement
10 has been satisfied. Thereafter, such electric utility is required to file an integrated resource plan
11 pursuant to §24-2-19(a) of this code.

12 (2) Each electric utility that has filed the initial integrated resource plan shall file an updated
13 plan at least every five years after the initial integrated resource plan has been filed. Any electric
14 utility that was exempt from filing an initial integrated resource plan shall file an integrated
15 resource plan within five years of satisfying any existing requirement and at least every five years
16 thereafter. All integrated resource plans shall comply with the provisions of any relevant order of
17 the Public Service Commission establishing guidelines for the format and contents of updated
18 and revised integrated resource plans.

19 (c) The Public Service Commission shall analyze and review an integrated resource plan.
20 The Public Service Commission may request further information from the utility, as necessary.
21 Nothing in this section affects the obligations of utilities to obtain otherwise applicable commission
22 approvals.

23 (d) The Commission may consider both supply-side and demand-side resources when
24 developing the requirements for the integrated resource plans. The plan shall compare projected
25 peak demands with current and planned capacity resources in order to develop a portfolio of
26 resources that represents a reasonable balance of cost and risk for the utility and its customers
27 in meeting future demand for the provision of adequate and reliable service to its electric
28 customers as specified by the Public Service Commission.

29 (e) The commission shall by order, entered no later than July 1, 2025, require all electric
30 utilities operating in the state to supplement their existing integrated resource plans to include a
31 detailed plant upgrade and maintenance plan, improvement compliance schedule, and cost
32 estimate for ensuring the operation of each generating unit through their planned retirement date.
33 The supplemental integrated resource plan shall also include an analysis of the action necessary

34 to extend the life of each generating unit beyond their planned retirement date. Subject to notice
35 and comment from interested parties, the commission may approve the supplemental integrated
36 resource plan without modification or require modification of the supplemental plan before it is
37 approved. The commission shall promulgate rules requiring the supplementation of integrated
38 resource plans as required by this provision. The rules shall also provide a procedure for utilities
39 to submit an independent evaluation of any modification required by the commission hereunder
40 or to challenge such required modification.

**§24-2-21a. Commission authority required when closing an electric generating plant and
circumstances of closure in another jurisdiction.**

41 (a) A public electric utility may not retire, abandon, close, or otherwise permanently render
42 incapable of operating, any electric generating plant or unit without the prior consent and approval
43 of the commission. No funds obtained from (1) the Grid Stabilization and Security Fund set forth
44 in 5B-2N-2a, (2) an environmental control bond issued pursuant to 24-2-4e, (3) a consumer rate
45 relief bond issued pursuant to 24-2-4f, (4) or a utility consumer rate relief bond issued pursuant
46 to 24-2-4h shall be used by a public utility to retire, abandon, close, or otherwise permanently
47 render incapable of operating, any electric generating plant or unit.

48 (b) If an electric utility serving customers in both West Virginia and in an area not subject
49 to the jurisdiction of the commission is ordered to cease operations of a generating plant or unit
50 by the regulating authority of the other jurisdiction and the costs of the plant or unit had been
51 shared through an allocation process for rate making purposes and after a commission
52 proceeding and determination that a generating plant or unit should continue to operate, then the
53 utility shall recover all of the capital, operating and maintenance costs of the electric generation
54 plant or unit from its West Virginia customers to the extent that such costs are no longer allocable
55 to the other jurisdiction, and all of the associated capacity, energy, and environmental attributes
56 shall be assigned to its customers and operations in West Virginia.

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.

.....
Clerk of the House of Delegates

.....
Clerk of the Senate

Originated in the House of Delegates.

In effect 90 days from passage.

.....
Speaker of the House of Delegates

.....
President of the Senate

The within is this the.....
Day of, 2025.

.....
Governor



JEFFERSON COUNTY, WEST VIRGINIA

Office of Planning and Zoning

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MEMO

TO: Planning Commission of Jefferson County
FROM: Andy Beall, Zoning Administrator
DATE: June 26, 2025
RE: Review and Recommendations of Proposed Changes to the Solar Energy Facilities Ordinance and Related Regulations

At their April 29, 2025 meeting, Planning Commissioner Daniel Hayes requested to propose revisions to the Zoning and Land Development Ordinance (amended 2022) at the next available Planning Commission meeting. The proposed revisions to better define Solar Facility guidelines is for the Planning Commission's discussion and consideration (see attached).

At the May 27, 2025 Planning Commission meeting, Commission President, Mike Shepp motioned to direct staff to review and critique the four proposed text amendments presented by staff and Commissioner Hayes, and return with findings to the Planning Commission at a later date. The purpose of this memorandum is to present the commission with options that meld Commissioner Hayes' proposals with current ordinances and regulations and the recommendations of staff. This is not a draft text amendment. That will ensue once the commission has determined and made a motion to pursue a particular course of action. The following is from a staff memo dated November 12, 2024 which identifies three possible amendments:

1) *Conditional Use Permits*

The original petition and text recommendation proposed requiring all proposed Solar Facilities to process as Conditional Uses rather than Principal Permitted Uses. Four of the five that have been approved have had at least a portion of the project process as a Conditional Use and any conditions placed on the approval by the BZA is being incorporated into the Concept Plan.

2) *Site Plan Requirement*

One significant change that would give the County more authority related to the construction of the Solar Facilities would be to amend Section 8.20 of the Zoning Ordinance to require Solar Energy Facilities to process a Site Plan, in addition to the currently required Concept Plan. A Site Plan requirement could include a Public Hearing and would require posting a construction bond for site improvements such as

Attachments

- 2045 Comprehensive Plan Solar Facility Extract
- Solar Memo Staff Report from 11.12.24 Planning Commission Meeting
- Commissioner Daniel Hayes' Draft Text Amendment dated 04/29/2025

landscaping and storm water management which would give the County more authority over ensuring the proposed design elements are constructed per the plans.

3) Setback/Buffer/Landscaping

One of the issues that the Planning Commission and staff have received the most concern about relates the relationship between the solar panels and neighboring residential developments. Consideration of an increase in the landscape buffer/ screening and setbacks could address these concerns and provide more protection to the nearby existing residential developments.

Staff Report and Recommended Options

It should be noted that solar projects that have already obtained approvals under the current regulations would be grandfathered and permitted to continue under the current Zoning Ordinance requirements. Any new regulations or standards adopted in the future would apply only to new proposals.

Definitions:

The current definition of Solar Energy Facility is:

A facility that generates electricity from sunlight by utilization of photovoltaic (PV) technology and distributes the generated electrical power. On-site components of the facility may include solar panels and other accessory components including, without limitation, Essential Utility Equipment, transformers, inverters, cabling, electrical lines, substations, and other improvements necessary to support generation, collection, storage, and transmission of electrical power.

Commissioner Hayes' Recommendation:

A facility primarily used to convert sunlight into electricity for sale to a public utility or for use off-site. Includes photovoltaic arrays, inverters, substations, battery storage, access roads, and related infrastructure

Staff Recommended Options:

If it is the intent of the Commission to limit solar farms to utility-scale only, then staff agrees with the refined definition of "Solar Energy Facility" presented by Commissioner Hayes as it includes the end user caveats while stating what constitutes a solar facility.

Another option would be to distinguish between "Utility-Scale" Solar Farms and "Distributed Generation (Community)" Solar Farms. The former defined per Commissioner Hayes' recommendation for "Solar Energy Facility" "with no acreage limits. The latter would include the same components and infrastructure as "Utility-Scale" but would be much smaller and would be constructed at or near the site where the electricity will be used. Preliminary research shows that, on average, 1 megawatt of solar will power 168 homes and requires approximately (5) acres. Given this rough calculation, a cap could be placed on Distributed Generation Solar Farm acreage, e.g. $\leq (25)$ acres which could potentially power up to 840 homes.

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Note: Another limit to be placed on both options could be height with 16' seemingly being the norm.

Use Type and Permitted Districts:

Solar energy facilities are currently designated as “Commercial” and are principally permitted in the UGB and PGA and as a Conditional Use in areas outside of the UGB and PGA. They are Not Permitted in the NC, PND, OC, and V districts.

Commissioner Hayes’ recommendation identifies solar energy facilities as an Institutional Use permitted only as a principal use in the LI, MI, and IC districts.

Staff recommends designating Solar Energy Facilities (Utility-Scale Solar Farms should the Commission choose to recognize two types of solar farm) as an Industrial Use. While utility-scale solar farms do not produce traditional industrial goods, their operation involves energy-intensive processes like converting sunlight into electricity and transmitting it, which aligns with the broader definition of industrial activity. While they generate electricity for commercial and industrial use, the scale and infrastructure of a utility-scale solar farm typically align with industrial zoning and development standards. In addition, this use designation inherently has stricter site distance and vegetated buffer requirements.

If the commission’s intent is to place heavier restrictions on solar facilities, then as such, the Industrial designation would principally permit their usage in the LI, MI, and IC districts only, as Commissioner Hayes has recommended. This obviously contradicts earlier efforts to principally permit solar facilities in the UGB and PGA and by Conditional Use outside these areas.

Should the Commission choose to recognize (2) types of solar facilities, in addition to the above Industrial Use, smaller “Distributed Generation (Community)” Solar Farms could be designated similar to Light Industrial uses which are permitted in the Residential Growth (RG) district as a conditional use and only as an accessory use to a planned residential community.

Screening Requirements:

As stated above, the designation of solar farms (utility-scale and community-scale) as Industrial inherently applies stricter buffer and screening requirements and can easily be further increased and restricted.

Site Plan Requirement:

As the November 12, 2024 Staff Memo proposes, the addition of the Site Plan Requirement for Solar Energy Facilities (Utility-Scale Solar Farms should the Commission choose to recognize two types) would grant the County more authority and control over construction. Should Distributed Generation (Community) Solar Farms be added, control over their construction would fall under the Major Subdivision for which they are intended to power.

Conclusion:

Staff will draft a text amendment at the direction of the Commission. Please consider the following points:

1. Solar Energy Facilities should be designated as Industrial uses and only principally permitted in the LI, MI, and IC districts. May want to consider allowing as a CU in the Rural district to prevent rezoning for the sole purpose of accommodating Solar Energy Facilities.

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2. Add a second type of solar energy facility known as Distributed Generation (Community) Solar Farms (designated Light Industrial) limited to a maximum of 25 acres and permitted via CUP in the RG districts and only as accessory uses to planned residential developments?
3. Solar facilities in general should process a site plan.
4. The Commission agrees site distance and buffer requirements for solar facilities in general should be increased.

Amendment Processes:

Subdivision & Land Development Regulations (amended 2024) Process:

Note that West Virginia State Code §8A-4-5. Amendments to the subdivision and land development ordinance: “After the enactment of the subdivision and land development ordinance by the governing body, all amendments to the subdivision and land development ordinance shall be made by the governing body after holding a public hearing with public notice.”

Note that Jefferson County Subdivision and Land Development Regulations (amended 2024):

“Sec. 23.201 County Commission

The County Commission is responsible for setting in place a means of administering these Subdivision and Land Development Regulations and ensuring enforcement of the County's Zoning Ordinance. As such it has the following powers and duties:

- A. Adoption and Amendment. As specified in Chapter 8A of the West Virginia Code, the County Commission has sole responsibility for the adoption and amendment of the subdivision and site development regulations. It is advised in these matters by staff and the Planning Commission.”

Zoning and Land Development Ordinance (amended 2022) Process:

Note that West Virginia State Code §8A-7-8a. Amendments to the zoning ordinance by the governing body: “a) Before amending the zoning ordinance, the governing body with the advice of the planning commission, must find that the amendment is consistent with the adopted comprehensive plan. If the amendment 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.”

Note that Jefferson County Zoning and Land Development Ordinance (amended 2022):

“Section 12.4 Procedure for Initiating a Zoning Ordinance Text Amendment

C. Text Amendments by the Planning Commission

If the Planning Commission determines that a text amendment to the Zoning Ordinance is required in accordance with its work plan, for the purpose of improving or clarifying the ordinance, or for consistency with adopted policies, the Planning Commission will develop a draft of the proposed amendment, receive public input, conduct a Public Hearing in accordance with Section 12.2D, and make a recommendation for action to the County Commission through a regular agenda request process. Any such amendment proposal will include the background and reasoning of the proposed amendment as well as a discussion of consistency with the adopted Comprehensive Plan.

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With its recommendation, the Planning Commission will request that the County Commission schedule a workshop, if necessary, and a Public Hearing at dates to be determined by the County Commission to receive comment and take action on the proposed amendment.

D. Text Amendments by the Planning Commission by Petition

The Planning Commission may alternatively submit a text amendment by petition to the County Commission. The procedure for processing a formal text amendment petition initiated by the Planning Commission shall be as dictated in §8A-7-9 et seq of the West Virginia State Code, as amended. Petitions for a text amendment initiated by the Planning Commission shall be presented to the County Commission and submitted to the County Clerk for filing on the same date. Such petitions for a text amendment shall be clearly labeled as “§8A-7-9 Petition” in the heading and contain the following information:

1. Substantiation for the request;
2. Notation that said text amendment applies county-wide;
3. Discussion on why such proposal is consistent with the adopted Comprehensive Plan.

The County Commission is required to set a public hearing on the proposed Zoning Text amendment within 60 days of the date upon which the petition is presented to the County Commission at a County Commission meeting. The petition and related agenda request form must be submitted to the County Commission office for placement on a County Commission agenda at least one (1) week prior to the meeting date or in accordance with the agenda request procedure of the County Commission.”

Attachments

- 2045 Comprehensive Plan Solar Facility Extract
- Solar Memo Staff Report from 11.12.24 Planning Commission Meeting
- Commissioner Daniel Hayes’ Draft Text Amendment dated 04/29/2025

last several decades, newer subdivisions and commercial developments are increasingly built to a level of density that requires water and sewer services. The population growth of Jefferson County and the development pattern that has occurred has resulted in additional demands placed on the County's water resources and wastewater facilities. At the same time, federal and state regulations limit discharges into and from Jefferson County's water bodies, which eventually flow into the Chesapeake Bay. These guidelines and regulations have created additional demands for water and sewer suppliers to upgrade their facilities. While many of the County's utilities have upgraded their facilities to meet Chesapeake Bay Watershed Protection program requirements, it may be difficult to finance future upgrades to the County's water and sewer infrastructure.

Jefferson County's residents and businesses expect infrastructure capacity, facilities, and services to be available to meet current needs while ensuring the ability to accommodate future expansion of the services.

Businesses considering relocation or expansion to Jefferson County are able to better plan for their needs knowing that infrastructure and services are in place, or that documentation for plans to expand services exist. Coordination of future land use plans with water and sewer plans allows local residential and business development to be targeted to areas where water and sewer services and other infrastructure and services are readily available. Local utility and service providers will have a reasonable expectation of where growth will occur and what the potential maintenance and operating costs of expanding services would be. Encouraging the utility and service providers to coordinate the creation of their service plans for infrastructure and service improvements with the growth areas identified in the Future Land Use Guide would enhance the providers planning efforts and local land use planning efforts.

In January 2022, a text amendment was made to the Envision Jefferson 2035 Plan by County Commission on the permitting of solar energy facilities in the

County. The process laid out in that text amendment defined solar energy facilities as principally permitted uses within the UGB and PGA and as conditional uses outside of a UGB or PGA. This Plan supports the reassessment of the solar energy facility development process and recommends requiring a site plan and additional stipulations on vegetative buffers, setbacks, and agrovoltaics. This Plan also supports the installation and use of renewable energy sources by residents and businesses.



Jefferson County, West Virginia
Department of Engineering, Planning, and Zoning
Office of Planning and Zoning
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Phone: (304) 728-3228

MEMO

TO: Planning Commission

FROM: Jennifer M. Brockman, AICP, Chief County Planner/Acting Zoning Administrator

DATE: November 12, 2024

RE: Solar Energy Facility Text Discussion

The 3-year history of the development of the current Solar Energy Facility language found in Section 8.20 of the Jefferson County Zoning and Land Development Ordinance is detailed in the following pages. In December 2023, the County Commission expressed concern about the quality and quantity of Solar Facilities that have been approved and requested that the Planning Commission review Section 8.20 of the Zoning Ordinance and provide recommended edits based on the projects submitted thus far.

There are three possible amendments that the Planning Commission may want to consider discussed below. It should be noted that unless any of the currently approved five Solar Facilities expire, the solar projects that have already obtained approvals under the current regulations would be grandfathered and permitted to continue under the current Zoning Ordinance requirements. Any new regulations or standards adopted in the future would apply only to new proposals.

1) Conditional Use Permits

The original petition and text recommendation proposed requiring all proposed Solar Facilities to process as Conditional Uses rather than Principal Permitted Uses. Four of the five that have been approved have had at least a portion of the project process as a Conditional Use and any conditions placed on the approval by the BZA is being incorporated into the Concept Plan.

2) Site Plan Requirement

One significant change that would give the County more authority related to the construction of the Solar Facilities would be to amend Section 8.20 of the Zoning Ordinance to require Solar Energy Facilities to process a Site Plan, in addition to the currently required Concept Plan. A Site Plan requirement could include a Public Hearing and would require posting a construction bond for site improvements such as landscaping and storm water management which would give the County more authority over ensuring the proposed design elements are constructed per the plans.

3) Setback/Buffer/Landscaping

One of the issues that the Planning Commission and staff have received the most concern about relates the relationship between the solar panels and neighboring residential developments. Consideration of an increase in the landscape buffer/ screening and setbacks could address these concerns and provide more protection to the nearby existing residential developments.

**The history of the current Solar Energy Facility language found in
Section 8.20 of the Jefferson County Zoning and Land Development Ordinance:**

ZTA19-03:

- 12-10-19: Landowner petition requesting that the Planning Commission consider a proposed text amendment to the Zoning Ordinance to create a process to allow Solar Farms in the Rural Zoning District only as a Conditional Use.
- 02-11-20: The PC appointed a subcommittee and directed the subcommittee to draft a text amendment to allow solar energy facilities as a Principal Permitted Use. The Planning Commission specifically directed the committee to develop requirements to address fencing, screening, and decommissioning of solar energy facilities.
- 06-02-20: PC Public Hearing on ZTA19-03 including language to allow solar energy facilities as a Principal Permitted Use in multiple Zoning Categories and requiring a Concept Plan, Zoning Certificate, Building Permits, and Decommissioning Plan.
- 06-23-20: PC set recommended draft ZTA19-03 text amendment to CC for their consideration.
- 09-11-20: CC Public Hearing on recommended version of ZTA19-03 text amendment.
- 10-01-20: CC approved ZTA19-03 text amendment with an effective date of November 16, 2020.
[11-14-20 Temporary Restraining Order filed;
12-10-20 Agreed Order vacating ZTA 19-03 and directing reconsideration by the PC (vacated by vote of the County Commission.)]
- 02-09-21: PC held Public Hearing to received public input on ZTA19-03. The PC closed the hearing and called a special meeting for 02-23-21 to allow additional time to review the written comments submitted.
- 02-23-21: PC determined that allowing solar facilities as a principal permitted use was consistent with the Comprehensive Plan and noted that if there were any conflicts with the Plan, there had been changes of a social nature, which support alternative energy. The PC directed Legal Counsel to draft Findings of Fact and Conclusions of Law for their review during the March meeting.
- 03-09-21: PC made a recommendation to the CC that the proposed text amendment is consistent with the Comp Plan, and noted that if there were any conflicts with the Plan, that there had been changes of a social nature, which support alternative energy.
- 03-18-21: CC received the Planning Commission's recommendation draft ZTA19-03 and scheduled a Public Hearing for April 12, 2021 @ 6:00 PM.
- 04-12-21: CC held PH on ZTA19-03 and voted to approve the text amendment with minor edits based on public input.
- 08-16-21: Judge McLaughlin issued a decision on Civil Case #CC-19-2021-C-33 which overturned Zoning Text Amendment ZTA19-03.

Envision Jefferson Comprehensive Plan Amendment:

- 09/02/21: CC directed the PC to develop an amendment to the Comprehensive Plan to clarify that solar facilities be recognized as a principal permitted use throughout the rural and residential zoning districts in accordance with WV Code 8A-3-11.
- Comp Plan Amendment Discussions: 9/28/21 Workshop; 10/5/21 Work Session; 10/12/21 discussion
- 12/7/21: PC Comprehensive Plan Solar Facility Text Amendment Public Hearing
- 12/14/21: PC voted to forward recommended Comp Plan text amendment re: solar facilities in the rural and residential districts to County Commission.

- 02/03/22: CC Comprehensive Plan Solar Facility Text Amendment Public Hearing
- 04/05/22: CC recommended a final revision to the draft amendment to the Envision Jefferson 2035 Comprehensive Plan. Pursuant to State Code, their revised draft was forwarded to the Planning Commission for final approval.
- 04/12/22: PC formally accepted the CC's recommended revisions to the draft amendment, which included the following revision to the Infrastructure and Technology Recommendations on Page 93 of the Comprehensive Plan:
 "Encourage public entities to utilize alternative and renewable energy sources for a variety of energy needs, specifically Solar Energy Facilities in areas inside of the Urban Growth Boundary and the Preferred Growth Area as a Principal Permitted Use, and outside of the Urban Growth Boundary and the Preferred Growth Area, by the Conditional Use Process (Recommendation 8)."

Following their approval to accept the proposed amendment to the Comprehensive Plan, the Planning Commission directed Staff to revise the previous text amendment to the Zoning Ordinance to incorporate provisions in accordance with the Comprehensive Plan, as amended.

ZTA22-01:

- 04/19/22: PC Special Meeting to review the draft of the text amendment to the Zoning Ordinance (File ZTA22-01).
- 05/17/22: PC Public Hearing on the draft ZTA22-01.
 - The draft amendment included provisions to allow Solar Energy Facilities to process as a Permitted Use on parcels located within the Urban Growth Boundary and Preferred Growth Area as identified on the Future Land Use Guide in the Envision Jefferson 2035 Comprehensive Plan. The amendment also includes provisions to allow Solar Energy Facilities to process as a Conditional Use on parcels located outside of the Urban Growth Boundary and Preferred Growth Area.
 - ZTA22-01 proposed revisions to Article 2, Section 2.2, Terms Defined; Article 8, Supplemental Use Regulations, [creation of new Section 8.20, Solar Energy Facilities]; and Appendix C, Principal Permitted and Conditional Uses Table.
 - PC recommended the proposed text to the CC for their review and approval.
- 06/09/22: CC Public Hearing on the recommended draft text amendment ZTA22-01. Motion to approve did not pass.
- 06/16/22: CC voted to reconsider ZTA22-01 which was approved as presented at the Public Hearing, effective immediately.

[07/07/23: CC by vote of 2-1 repealed the Solar Energy Facility provisions of the Zoning Ordinance without the required public hearing process.

12/21/23: Moved to rescind action of CC on 7/7/23 regarding the Solar Text Amendment and further requested that the PC review Section 8.20 of the Zoning Ordinance and provide recommended edits based on the projects submitted thus far.]

Section 8.20 Solar Energy Facilities

Solar Energy Facilities shall process as a Principal Permitted Use in areas inside of the Urban Growth Boundary and the Preferred Growth Area as delineated on the Future Land Use Guide in the Comprehensive Plan. Solar Energy Facilities shall process as a Conditional Use in areas outside of the Urban Growth Boundary (UGB) and Preferred Growth Area (PGA).

All projects shall process a Concept Plan in accordance with the requirements listed below under Subsection B. For projects that require processing a Conditional Use Permit, a Concept Plan shall process subsequent to the Board of Zoning Appeals approval.

For projects that will occur across parcels located both inside and outside the County's UGB/PGA areas, an applicant may choose to process in two phases, with the first phase addressing the parcels located within the UGB/PGA areas as a Principal Permitted Use and the second phase processing a Conditional Use Permit to allow the Board to evaluate compatibility of the second the phase outside of the UGB/PGA areas. Should the Board issue a Conditional Use Permit, a Concept Plan shall process and shall include an exhibit depicting the full-buildout of the entire Solar Energy Facility project.

A Pre-Proposal Conference is recommended for all solar projects, pursuant to the Jefferson County Subdivision and Land Development Regulations.

A. Process for Solar Energy Facilities as a Conditional Use

1. Projects which will occur on properties located outside of the UGB/PGA areas as delineated on the Future Land Use Guide shall process a Conditional Use in accordance with Article 6.
2. In addition to the criteria established in Article 6, the following exhibits shall be included with the Conditional Use Permit application for the Board's evaluation:
 - a. Submit a sketch depicting the location of the proposed project and delineate the distance of the panels from the external property lines.
 - b. Submit a brief description of the timeline of the lease or operating plan, and an overview of the plan for removal of the solar energy facility. The decommissioning plan and bond shall be in accordance with the West Virginia Department of Environmental Protection (WVDEP), pursuant to WV State Code §22-32-1, et. sec. or its successor.
3. Should the Board issue a Conditional Use Permit, the applicant shall proceed with application for a Concept Plan, pursuant to the criteria listed below under subsection B.

B. Process for Solar Energy Facilities as a Principal Permitted Use

1. A Concept Plan, pursuant to the Minor Site Development Concept Plan standards established in the Jefferson County Subdivision and Land Development Regulations is required; except that after the Planning Commission direction is given, the next steps are Application for a Zoning Certificate and Building Permit. In addition to the Concept Plan requirements outlined in the Subdivision Regulations, the Concept Plan shall also include the following criteria:
 - a. Property or Properties Location;
 - b. Access Points;
 - c. Anticipated location of all proposed components of the Solar Energy Facility. Each proposed solar panel is not required to be shown on the Concept Plan, if compliance with setbacks can be established by what is depicted on the Concept Plan; and
 - d. Landscaping, Buffering, Ground Cover Plan, and Fencing. The landscaping plan shall include a note stating, "It will be the responsibility of the landowner to replace any trees, shrubs, or vegetation that die."

If the project is to be completed in phases, the Concept Plan shall reflect phasing of the project.

2. Decommissioning Outline

- a. A narrative outlining the decommissioning of the Solar Energy Facility shall be included with the Concept Plan. This narrative shall include a description of the timeline of the lease or operating plan, and a general plan for removal of the Solar Energy Facility.
- b. The company shall provide to the Department of Engineering, Planning, and Zoning proof of application for a decommissioning plan and bond when such application is filed with the WVDEP as required by WV State Code §22-32-1, et. sec. or its successor.
- c. Staff shall be notified by certified mail at least 60 days in advance of the intended decommissioning of the Solar Energy Facility. Staff will place the notice on the next regularly scheduled Planning Commission meeting under “non-actionable correspondence”.
- d. Failure of the Lessee or Property Owner to meet and/or comply with the decommissioning plan as approved by the WVDEP may result in legal action pursuant to Article 3, Section 3.3 of this Ordinance and/or any applicable State Law.

C. Setbacks, Landscaping, and Buffer Standards for a Solar Energy Facility

1. Multiple adjacent properties under the same ownership or lease by the same company shall be considered one property for the purpose of these regulations. Internal boundary lines on adjacent properties under the same ownership or lease by the same company are not subject to the setbacks or buffer requirements provided below.

2. Setbacks

a. Solar Panels

- i. Front, Side, and Rear Setbacks shall be 100 feet from all external/perimeter property lines and from the edge of the State ROW or Easement of any State Road.
- ii. The above referenced setback may be decreased to 50 feet provided it includes a six foot high opaque buffer within the setback area comprised of two rows of evergreen trees that are six feet tall at the time of planting or a solid fence. Alternatively, a 50 foot strip of existing, mature woodlands may be allowed in lieu of a planted buffer or fence if documentation is submitted documenting how the existing mature woodlands complies with the required buffer standard.
- iii. Solar panels and accessory components may be located on a common side or rear lot line of contiguous property owned by the same entity.

b. Accessory components, excluding solar panels and underground utilities.

- i. Front, side, and rear setbacks shall be 25 feet from all external/perimeter property lines and from the edge of the State ROW or Easement of any State Road.

3. Landscaping and Buffer Standards

a. Solar Panels that are located within 200 feet of any residence, Category 1 Historic Resource, Institution for Human Care, Church, or similar use or structure as determined by the Zoning Administrator, shall provide a 20 foot wide buffer along common property lines. The buffer shall be provided anywhere within the 200 foot radius from the structures/uses herein and is not required to be provided along the entire length of the common property line.

b. The buffer screen may be either vegetative or opaque fencing and may be placed anywhere within the buffer area. No structures, materials, or vehicular parking shall be permitted within the side and rear yard buffers. Existing, natural vegetation may be used in lieu of a planted buffer if documentation is submitted to the Zoning Administrator verifying how the existing natural vegetation complies with the required buffer standard.

c. Accessory Components (excluding solar panels) that are located within 200 feet of any residence, Category 1 Historic Resource, Institution for Human Care, Church, or similar use as determined by the Zoning Administrator, shall comply with the commercial provisions of Section

4.11, with the exception that the Zoning Administrator can allow the use of existing, natural vegetation as appropriate to achieve the intent of the required buffering.

4. Security and Access

a. A security fence with secured gates shall be erected around the operating areas of the Solar Energy Facility with a minimum height of six feet and a maximum height of ten feet.

i. Arrangements shall be made with the appropriate Fire Department for Access. A letter documenting approval of access from the Fire Department shall be provided with the Zoning Certificate application. The Fire Department shall respond within 15 days of the date of the letter. If no response is provided, the Fire Department shall be deemed by this Ordinance to have approved the access.

ii. Upon three business days' notice by the Department of Engineering, Planning, and Zoning, access shall be provided to Staff.

D. A Zoning Certificate based on an approved Concept Plan is required prior to initiating any use regarding Solar Energy Facilities.

In addition to the standards found in Section 8.20, any Zoning Certificate regarding Solar Energy Facilities shall be issued conditioned on all other State Regulations and approvals being granted, including, but not limited to, the WV Public Service Commission, WVDEP applicable NPDES Permits and Decommissioning Bonds, Fire Marshal approval, Building Permits through the Department of Engineering, Planning, and Zoning, and approval of the Stormwater Management Report pursuant to the Jefferson County Stormwater Management Ordinance.

E. Stormwater Management

Stormwater Management shall be required in accordance with the Jefferson County Stormwater Management Ordinance. Solar Energy Facilities may be exempt from providing stormwater management if the conditions for granting exemption under Article I.D.2.h of the Stormwater Management Ordinance are satisfied.

F. General Requirements

1. Design, construction, and installation of the Solar Energy Facility shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM) or other similar certifying organizations and shall comply with the West Virginia Fire and Building Codes, including compliance with the Jefferson County Building Code.

2. Prior to commencing the transmission of electricity, the Solar Energy Facility shall provide documentation evidencing an interconnection agreement or similar agreement with the applicable public utility or approved entity in accordance with applicable law.

3. Generation of electrical power shall be limited to photovoltaic panels, provided that any on-site buildings may utilize integrated photovoltaic building materials.

4. Solvents necessary for the cleaning of the Solar Panels shall be biodegradable.

5. Internal wiring, excluding that which is on or between the Solar Arrays, connected to substations or between Solar Panels, shall be located underground, except where necessary to mitigate impact to environmental and/or terrain features.

6. Onsite lighting shall be the minimum necessary for security and onsite management and maintenance and shall comply with the standards outlined in the Subdivision Regulations.

7. Photovoltaic Panels shall use antireflective glass that is designed to absorb rather than reflect light.

8. Ground Cover comprised of natural vegetation is required. Ground cover that uses native or naturalized perennial vegetation and that provides foraging habitat that is beneficial for songbirds, gamebirds, and pollinators is encouraged but not required.

9. Collocation of other agricultural activities such as small market hand-picked crops, grazing, and apiary activities are permitted and encouraged.
10. No signage or advertising is permitted on the Solar Energy Facility other than an identifying sign at the entrance of the Facility that shall be approved by the Zoning Administrator in accordance with Article 10. All other signage must be approved by Special Exception by the Board of Zoning Appeals.
11. Solar Energy Facilities shall comply with Article 8, Section 8.9 of this Ordinance.
12. The Solar Energy Facility Use is not considered abandoned until such time it is Decommissioned.
13. Damaged or unusable panels shall be repaired, replaced, or removed within 60 days from discovery of damage; provided, however, longer periods may be approved by the County Engineer due to extenuating circumstances.

DRAFT TEXT AMENDMENTS - SOLAR FACILITY (04/29/25)

Section 2.2: Terms Defined (ADD)

Solar Energy Facility: A facility primarily used to convert sunlight into electricity for sale to a public utility or for use off-site. Includes photovoltaic arrays, inverters, substations, battery storage, access roads, and related infrastructure.

Amend Appendix C – Principal Permitted and Conditional Uses Table:

| Institutional Uses | NC | GC | HC | LI | MI | PND | OC | R | RG | RLIC | IC | V |
|---------------------------|-----------|-----------|-----------|-----------|-----------|------------|-----------|----------|-----------|-------------|-----------|----------|
| Solar Energy Facility | NP | NP | NP | P | P | NP | NP | NP | NP | NP | P | NP |

Additional Standards: Sec. 8.20

Section 4.18: Solar Energy Facility Screening and Maintenance Standards (ADD)

A. Screening Requirements

1. Perimeter Buffer

- **Composition:** A continuous vegetative buffer consisting of native, non-invasive evergreen species.
- **Width:** Minimum of 30 feet.
- **Planting Specifications**
 - Trees planted in staggered rows, spaced no more than 10 feet apart.
 - Initial planting height of at least 8 feet, achieving a mature height sufficient to screen the facility within 3 years.

2. Fencing

- If fencing is installed, it shall be located interior to the vegetative buffer and constructed of materials that blend with the natural surroundings.

3. Topography Consideration

- In areas where natural topography provides adequate screening, the Planning Commission may modify buffer requirements accordingly.

D. Maintenance Requirements

1. Maintenance Plan

- Applicants must submit a maintenance plan detailing:
 - Regular inspection schedules.

- Procedures for replacing dead or diseased vegetation within 60 days.
- Control measures for invasive species.

2. Financial Assurance

- A performance bond or other financial assurance may be required to ensure ongoing maintenance of the screening measures.

SECTION 8.20 (REVISE)

Section 8.20 Solar Energy Facilities

Solar Energy Facilities shall process as a Principal Permitted Use ~~in areas inside of the Urban Growth Boundary and the Preferred Growth Area as delineated on the Future Land Use Guide in the Comprehensive Plan. Solar Energy Facilities shall process as a Conditional Use in areas outside of the Urban Growth Boundary (UGB) and Preferred Growth Area (PGA).~~

All projects shall process a Concept Plan in accordance with the requirements listed below under Subsection A. ~~For projects that require processing a Conditional Use Permit, a Concept Plan shall process subsequent to the Board of Zoning Appeals approval.~~

~~For projects that will occur across parcels located both inside and outside the County's UGB/PGA areas, an applicant may choose to process in two phases, with the first phase addressing the parcels located within the UGB/PGA areas as a Principal Permitted Use and the second phase processing a Conditional Use Permit to allow the Board to evaluate compatibility of the second the phase outside of the UGB/PGA areas. Should the Board issue a Conditional Use Permit, a Concept Plan shall process and shall include an exhibit depicting the full buildout of the entire Solar Energy Facility project.~~

A Pre-Proposal Conference is recommended for all solar projects, pursuant to the Jefferson County Subdivision and Land Development Regulations.

~~A. Process for Solar Energy Facilities as a Conditional Use~~

~~1. Projects which will occur on properties located outside of the UGB/PGA areas as delineated on the Future Land Use Guide shall process a Conditional Use in accordance with Article 6.~~

~~2. In addition to the criteria established in Article 6, the following exhibits shall be included with the Conditional Use Permit application for the Board's evaluation:~~

~~a. Submit a sketch depicting the location of the proposed project and delineate the distance of the panels from the external property lines.~~

~~b. Submit a brief description of the timeline of the lease or operating plan, and an overview of the plan for removal of the solar energy facility. The~~

~~decommissioning plan and bond shall be in accordance with the West Virginia Department of Environmental Protection (WVDEP), pursuant to WV State Code §22-32-1, et. sec. or its successor.~~

~~3. Should the Board issue a Conditional Use Permit, the applicant shall proceed with application for a Concept Plan, pursuant to the criteria listed below under subsection B.~~

A. Process for Solar Energy Facilities as a Principal Permitted Use

1. A Concept Plan, pursuant to the Minor Site Development Concept Plan standards established in the Jefferson County Subdivision and Land Development Regulations, is required; **and must include the following additional details for all Solar Energy Facilities:**

1. **Location and dimensions of all proposed solar arrays, structures, fences, and access roads.**
2. **Buffer Plan showing:**
 - **Location, width, and extent of all required landscape buffers.**
 - **Species, height, and spacing of proposed vegetation.**
 - **Existing vegetation is to be preserved and how it contributes to the required screening.**
 - **Opacity calculations demonstrating 75% opacity at planting and 90% within 2 years.**
3. **Screening Cross-Sections at the property lines adjacent to residences, roads, and sensitive uses to demonstrate compliance with visual screening requirements.**
4. **Fence details if fencing is used as part of or in lieu of screening, including material, height, color, and design.**
5. **Maintenance Plan for landscaping, including irrigation (if applicable), replacement timelines, and responsible parties.**
6. **Visual Impact Assessment or line-of-sight renderings for properties and roads within 500 feet of the facility boundary.**

~~except that after the Planning Commission direction is given, the next steps are Application for a Zoning Certificate and Building Permit. In addition to the Concept Plan requirements outlined in the Subdivision Regulations, the Concept Plan shall also include the following criteria:~~

~~a. Property or Properties Location;~~

~~b. Access Points;~~

~~c. Anticipated location of all proposed components of the Solar Energy Facility. Each proposed solar panel is not required to be shown on the Concept Plan, if compliance with setbacks can be established by what is depicted on the Concept Plan; and~~

~~d. Landscaping, Buffering, Ground Cover Plan, and Fencing. The landscaping plan shall include a note stating, "It will be the responsibility of the landowner to replace any trees, shrubs, or vegetation that die." If the project is to be completed in phases, the Concept Plan shall reflect phasing of the project.~~

~~1. The Concept Plan shall be submitted pursuant to Section 4.10 and must include the following additional details for all Solar Energy Facilities:~~

~~7. Location and dimensions of all proposed solar arrays, structures, fences, and access roads.~~

~~8. Buffer Plan showing:~~

~~o Location, width, and extent of all required landscape buffers.~~

~~o Species, height, and spacing of proposed vegetation.~~

~~o Existing vegetation is to be preserved and how it contributes to the required screening.~~

~~o Opacity calculations demonstrating 75% opacity at planting and 90% within 2 years.~~

~~9. Screening Cross Sections at the property lines adjacent to residences, roads, and sensitive uses to demonstrate compliance with visual screening requirements.~~

~~10. Fence details if fencing is used as part of or in lieu of screening, including material, height, color, and design.~~

~~11. Maintenance Plan for landscaping, including irrigation (if applicable), replacement timelines, and responsible parties.~~

~~12. Visual Impact Assessment or line-of-sight renderings for properties and roads within 500 feet of the facility boundary.~~

2. Decommissioning Outline

a. A narrative outlining the decommissioning of the Solar Energy Facility shall be included with the Concept Plan. This narrative shall include a description of the timeline of the lease or operating plan, and a general plan for removal of the Solar Energy Facility.

b. The company shall provide to the Department of Engineering, Planning, and Zoning proof of application for a decommissioning plan and bond when such application is filed with the WVDEP as required by WV State Code §22-32-1, et. sec. or its successor.

c. Staff shall be notified by certified mail at least 60 days in advance of the intended decommissioning of the Solar Energy Facility. Staff will place the notice on the next regularly scheduled Planning Commission meeting under "non-actionable correspondence".

d. Failure of the Lessee or Property Owner to meet and/or comply with the decommissioning plan as approved by the WVDEP may result in legal action

pursuant to Article 3, Section 3.3 of this Ordinance and/or any applicable State Law.

C. Setbacks, Landscaping, and Buffer Standards for a Solar Energy Facility

1. Multiple adjacent properties under the same ownership or lease by the same company shall be considered one property for the purpose of these regulations. Internal boundary lines on adjacent properties under the same ownership or lease by the same company are not subject to the setbacks or buffer requirements provided below.

2. Setbacks

a. Solar Panels

i. Front, Side, and Rear Setbacks shall be 100 feet from all external/perimeter property lines and from the edge of the State ROW or Easement of any State Road.

ii. The above referenced setback may be decreased to 50 feet provided it includes a six foot high opaque buffer within the setback area comprised of two rows of evergreen trees that are six feet tall at the time of planting or a solid fence. Alternatively, a 50 foot strip of existing, mature woodlands may be allowed in lieu of a planted buffer or fence if documentation is submitted documenting how the existing mature woodlands complies with the required buffer standard.

iii. Solar panels and accessory components may be located on a common side or rear lot line of contiguous property owned by the same entity.

b. Accessory components, excluding solar panels and underground utilities.

i. Front, side, and rear setbacks shall be 25 feet from all external/perimeter property lines and from the edge of the State ROW or Easement of any State Road.

3. Landscaping and Buffer Standards

a. Solar Panels shall provide a minimum 30-foot-wide vegetative buffer. This buffer shall contain a staggered triple row of native evergreen trees that are a minimum of 8 feet in height at the time of planting and are spaced to provide a minimum 75% visual opacity year-round within two years of installation.

b. No clear-cutting shall occur within the buffer zone unless specifically approved by the Zoning Administrator. Buffer vegetation shall be located as close as practicable to the solar panels while maintaining long-term survivability and

effectiveness. The use of fast-growing species in combination with slower-maturing native trees is encouraged to ensure immediate impact and long-term screening.

c. An 8-foot-tall opaque fence may be used in lieu of or in addition to vegetative buffering. Fences must be dark-colored and non-reflective.

d. Maintenance Requirements

i. A landscape maintenance agreement must be submitted with the Concept Plan and recorded with the property deed. This agreement must outline the property owner's responsibility to inspect, replace, and maintain vegetative buffers to ensure continued compliance.

ii. Dead, diseased, or dying plant material shall be replaced within 60 days of identification, with plantings that meet or exceed the initial installation size and opacity requirements.

iii. Failure to maintain the buffer shall constitute a zoning violation and be subject to enforcement action, including fines and potential suspension of operational permits.

~~a. Existing natural vegetation may be used to meet these buffer requirements only if a certified arborist or landscape architect provides documentation verifying that the existing vegetation meets or exceeds the above opacity and height standards and can be sustained with normal maintenance practices.~~
a. Solar Panels that are located within 200 feet of any residence, Category 1 Historic Resource, Institution for Human Care, Church, or similar use or structure as determined by the Zoning Administrator, shall provide a 20-foot wide buffer along common property lines. The buffer shall be provided anywhere within the 200-foot radius from the structures/uses herein and is not required to be provided along the entire length of the common property line.

~~b. The buffer screen may be either vegetative or opaque fencing and may be placed anywhere within the buffer area. No structures, materials, or vehicular parking shall be permitted within the side and rear yard buffers. Existing, natural vegetation may be used in lieu of a planted buffer if documentation is submitted to the Zoning Administrator verifying how the existing natural vegetation complies with the required buffer standard.~~

~~c. Accessory Components (excluding solar panels) that are located within 200 feet of any residence, Category 1 Historic Resource, Institution for Human Care, Church, or similar use as determined by the Zoning Administrator, shall comply with the commercial provisions of 108 of 136 Section 4.11, with the exception~~

~~that the Zoning Administrator can allow the use of existing, natural vegetation as appropriate to achieve the intent of the required buffering.~~

4. Security and Access

a. A security fence with secured gates shall be erected around the operating areas of the Solar Energy Facility with a minimum height of six feet and a maximum height of ten feet.

i. Arrangements shall be made with the appropriate Fire Department for Access. A letter documenting approval of access from the Fire Department shall be provided with the Zoning Certificate application. The Fire Department shall respond within 15 days of the date of the letter. If no response is provided, the Fire Department shall be deemed by this Ordinance to have approved the access.

ii. Upon three business days' notice by the Department of Engineering, Planning, and Zoning, access shall be provided to Staff.

D. A Zoning Certificate based on an approved Concept Plan is required prior to initiating any use regarding Solar Energy Facilities.

In addition to the standards found in Section 8.20, any Zoning Certificate regarding Solar Energy Facilities shall be issued conditioned on all other State Regulations and approvals being granted, including, but not limited to, the WV Public Service Commission, WVDEP applicable NPDES Permits and Decommissioning Bonds, Fire Marshal approval, Building Permits through the Department of Engineering, Planning, and Zoning, and approval of the Stormwater Management Report pursuant to the Jefferson County Stormwater Management Ordinance.

E. Stormwater Management Stormwater Management shall be required in accordance with the Jefferson County Stormwater Management Ordinance. Solar Energy Facilities may be exempt from providing stormwater management if the conditions for granting exemption under Article I.D.2.h of the Stormwater Management Ordinance are satisfied.

F. General Requirements

1. **Buffer Enforcement:** All landscape buffers must be fully installed prior to final inspection and operation of the facility. Temporary fencing or screening may be required to meet initial opacity standards.
2. **Ongoing Maintenance:** Landscape screening shall be maintained in good health and shall meet the required visual opacity thresholds throughout the life of the facility. The Planning and Zoning Department shall have the authority to inspect screening at any time and require replacement or remediation if the buffer is compromised.

3. **Financial Surety:** A performance bond, escrow, or letter of credit equal to 125% of the total buffer installation cost shall be required to ensure completion and survival of all screening elements for a period of five (5) years following final approval.
4. **Annual Certification:** The operator shall submit an annual affidavit or third-party inspection report verifying compliance with landscape and screening requirements, including a photographic record from designated locations.
5. **Violation:** Failure to maintain required screening shall constitute a zoning violation and may result in daily fines, suspension of use permits, or other enforcement measures until compliance is restored.
6. **Less than 10% of the soil can be disturbed on a site for development of solar farm facilities.** This includes utilities, roadways, accessories, fencing, batteries, and solar panels.

- ~~1. Design, construction, and installation of the Solar Energy Facility shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM) or other similar certifying organizations and shall comply with the West Virginia Fire and Building Codes, including compliance with the Jefferson County Building Code.~~
- ~~2. Prior to commencing the transmission of electricity, the Solar Energy Facility shall provide documentation evidencing an interconnection agreement or similar agreement with the applicable public utility or approved entity in accordance with applicable law.~~
- ~~3. Generation of electrical power shall be limited to photovoltaic panels, provided that any on-site buildings may utilize integrated photovoltaic building materials.~~
- ~~4. Solvents necessary for the cleaning of the Solar Panels shall be biodegradable.~~
- ~~5. Internal wiring, excluding that which is on or between the Solar Arrays, connected to substations or between Solar Panels, shall be located underground, except where necessary to mitigate impact to environmental and/or terrain features.~~
- ~~6. Onsite lighting shall be the minimum necessary for security and onsite management and maintenance and shall comply with the standards outlined in the Subdivision Regulations. 109 of 136~~
- ~~7. Photovoltaic Panels shall use antireflective glass that is designed to absorb rather than reflect light.~~
- ~~8. Ground Cover comprised of natural vegetation is required. Ground cover that uses native or naturalized perennial vegetation and that provides foraging habitat that is beneficial for songbirds, gamebirds, and pollinators is encouraged but not required.~~

- ~~9. Collocation of other agricultural activities such as small market hand-picked crops, grazing, and apiary activities are permitted and encouraged.~~
- ~~10. No signage or advertising is permitted on the Solar Energy Facility other than an identifying sign at the entrance of the Facility that shall be approved by the Zoning Administrator in accordance with Article 10. All other signage must be approved by Special Exception by the Board of Zoning Appeals.~~
- ~~11. Solar Energy Facilities shall comply with Article 8, Section 8.9 of this Ordinance.~~
- ~~12. The Solar Energy Facility Use is not considered abandoned until such time it is Decommissioned.~~
- ~~13. Damaged or unusable panels shall be repaired, replaced, or removed within 60 days from discovery of damage; provided, however, longer periods may be approved by the County Engineer due to extenuating circumstances.~~

SUBDIVISION & LAND DEVELOPMENT REGULATIONS AMENDMENTS

Amend Section 20.302 – Subdivision Plat General Review Standards

Subsection J: Landscaping (ADD)

3. For subdivision plats involving solar energy facilities, required landscaping shall:
 - Include a minimum 30-foot-wide buffer with staggered triple rows of native evergreen trees, each a minimum of 8 feet at planting, to achieve 75% opacity at time of planting and 90% within two years.
 - Be supported by a landscape maintenance plan that includes seasonal inspections, invasive species control, and replacement of dead or diseased plantings within 60 days.
 - Allow the use of fencing only in combination with vegetative screening unless a waiver is granted. Fencing shall be opaque, dark, and no higher than 8 feet.
 - Be incorporated into stormwater best management practices where feasible (e.g., bio-swales, infiltration zones).

Amend Section 20.303 – Site Plan General Review Standards

Subsection F: Landscaping (ADD)

3. For solar energy facilities, landscaping shall:
 - Be located to fully screen the facility from adjoining parcels and public rights-of-way within two years of installation.
 - Incorporate a mix of evergreen species, native grasses, and/or berms where terrain or adjacent uses require additional screening.

- Include a permanent access plan and enforceable maintenance schedule for vegetation and fencing.
Be bonded at 125% of installation cost for a period of five (5) years to ensure establishment and survival.
-

Add Section 21.106 – Screening Standards for Solar Energy Facilities

A. Screening Standards:

1. A 30-foot-wide buffer is required around all solar facilities adjacent to residential, institutional, historic, or conservation lands.
2. Plantings shall consist of staggered rows of native evergreen trees, 8 feet minimum height at installation, spaced no more than 10 feet apart.
3. A visual screen shall be established to block at least 90% of the facility from view within 2 years from all public rights-of-way and adjacent parcels.
4. Berms and fencing may be used in combination with vegetation but not as a standalone method unless approved by the Planning Commission.

B. Maintenance and Enforcement:

1. A landscape maintenance agreement must be recorded with the site plan.
 2. All plantings must be inspected annually and maintained to sustain opacity. Dead or failing vegetation shall be replaced within 60 days or next planting season.
 3. Failure to maintain required screening shall constitute a zoning violation and may result in fines, permit suspension, or required remediation.
 4. A performance bond shall be held for five (5) years post-installation to ensure survival and performance of all landscape elements.
-

Appendix A – Plan & Plat Standards

- **Section 1.2 – Concept Plan:** Add requirement for visual simulation/renderings of proposed screening from adjacent roads and parcels.
- **Section 1.3 – Preliminary Site Plan:** Add submittal of landscape and screening plan with species, spacing, opacity calculations, and maintenance schedule.



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Department of Engineering, Planning and Zoning
Office of Planning and Zoning
116 E. Washington Street, 2nd Floor
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Charles Town, West Virginia 25414

Email: planningdepartment@jeffersoncountywv.org

Phone: 304-728-3228

MEMORANDUM

TO: Jefferson County Planning Commission
FROM: Luke Seigfried, Chief County Planner; Charles Cain, Planning Intern
DATE: July 8, 2025
RE: Draft Changes to Planning Commission Policy Regarding the Public Comment Process

Background

During the June 10, 2025 Planning Commission meeting, the Commissioners discussed several changes to the public comment process for regular meetings. Following this discussion, the Planning Commission agreed to propose several changes to Planning Commission Policy for conduct of public hearings and procedures for applicants with the goal to limit repetitive or off-topic public comments. Planning Commission directed staff to consolidate the changes with the *Public Hearing Procedures for Applications* policy and the *Planning Commission Policy Regarding the Conduct of Public Hearings and Public Hearing Procedures for Applications* policy into a single document. Staff have also prepared an additional draft document with several recommendations and the inclusion of the *Planning Commission Policy Regarding the Submittal of Documents for Agenda Items*.

Document Format

It should be noted that there are currently three policies regarding public comment, procedures for applicants, and submission of agenda items for public hearings, in three different documents. This separation invites conflicts among documents and makes the procedures less readable. Staff has prepared two draft policies for the Planning Commission to review. The first policy draft is specifically as directed by the Planning Commission and only contains the conduct of public hearings policy, procedures for applicant's policy, and requested changes. The second policy draft combines all three relevant policies (public hearing conduct, public hearing procedures, and submission of written comments) and contains Planning Commissioners' proposed changes and staff recommendations.

The memo contains a redlined version of **staff's recommended changes**, so proposed changes can be easily understood. Both proposed drafts are attached and ready for action by the Planning Commission.

Directed Changes

Recent edits made at the direction of the Planning Commission from the June 10, 2025 meeting have been included. These include the following:

1. Statement added to encourage submission of public comment before the meeting.
2. Clarity added to the timeline of the sign-up process for public comment. The sign-up sheet must be available for at least 15 minutes before the meeting and are to be collected when the meeting is called to order.
3. A limit of 90 minutes of public comments per agenda item has been added.
4. Statements allowing the Planning Commission President or the presiding Planning Commissioner, to end public comment early from persons whose comments are not relevant or are repetitive.

Staff Recommendations

Some changes included in the second policy document are not included in the first policy document. These include:

1. Switching the order of the policies so procedures for applicants appears first.
2. Statement added to clarify that speakers can ask questions to applicants during testimony, and that applicants can respond during their rebuttal time.
3. If Commissioners decide to combine multiple items into one public hearing then an additional 30 minutes is added per item (e.g. two waivers and a concept plan gets a maximum of 90 + 60 minutes).
4. Policy for Submittal of Documents for Agenda Items has been added. This policy has not been changed.

Next Steps

Planning Commission can adopt either of the proposed policies to take effect and direct staff to post the approved policy.

Attached Documents and Information

1. Redlined Document Reflecting Policy with Staff Recommendations
2. Planning Commission Directed Policy
3. Planning Commission Directed Policy with Staff Recommendations

PLANNING COMMISSION PUBLIC MEETINGS POLICY-REGARDING THE CONDUCT OF PUBLIC HEARINGS AND PUBLIC HEARING PROCEDURES FOR APPLICATIONS

Approved by Planning Commission-01/08/1307/08/2025

The Planning Commission establishes its own rules for the conduct of public hearing to ensure a smooth and orderly process. The public hearing procedures and policies adopted by the Planning Commission are ~~listed~~ found below. [text moved out of Conduct section]

Public comment is welcome and encouraged to be submitted prior to all meetings.

CONDUCT OF PUBLIC HEARINGS AND PUBLIC WORKSHOPS

All persons planning to testify shall sign up on the designated Speaker's ~~L~~ist prior to the meeting, which shall be available no later than fifteen (15) minutes before the meeting is called to order. After the meeting is called to order, sign-ups will close for that meeting. When called upon to speak, ~~you~~ the speaker must be recognized by the President, and ~~you~~ the speaker must state ~~your~~their name and address for the public record.

All presentations are timed and limited to a three (3) minute period. Persons whose presentations do not pertain to the current agenda item may have their public comment period ended early by the President or the presiding Commission member. If ~~you~~ the speaker does not finish ~~your~~their presentation, ~~be sure to provide~~ a copy of ~~you~~ the statement may be provided to the Planning Commission ~~office~~ staff as soon as possible. The entire presentation will then be entered as part of the public record. The speaker may pose questions to the applicant during their presentation but the applicant must hold their response until the applicant's response period.

In order to minimize repetitive testimony, organizations are encouraged to have only one person speak for their group, with other members of the organization standing to show their support. Testimony determined to be repetitive and of little additional value to the Commission and the public by the Commission may be stopped by the President or by the presiding Commission member.

The total allotted time per Public Hearing or Public Workshop shall be ninety (90) minutes allotted into three (3) minute slots for each speaker. The allotted time will only be given to the individuals that are signed up and cannot be dedicated to other individuals, groups or organizations. Each person may testify only once per Public Hearing or Public Workshop, unless called back to the podium at the request of a Commission member.

The President or the presiding Commission member may decide to hold a combined public workshop and public hearing in the event that two or more items are for the same project. For each additional item, an additional thirty (30) minutes shall be added to the allotted time.

PUBLIC HEARINGS AND PUBLIC WORKSHOPS PROCEDURES FOR APPLICATIONS

All persons planning to testify on an item open to public comment should refer to the Conduct of Public Hearings and Public Workshops Policy. The following is an outline of the public hearing procedures followed by the Commission when a land use application is presented. The items are listed in the order in which they usually occur.

1. The President will call for the public hearing by naming the specific case and the application by its proper name. ~~At this time, the President will ask the applicant, or the authorized agent for the application, to reaffirm that the information stated is correct and accurate as of the hearing date. The President will then ask if any members of the Commission need to make disclosures based on the application before them.~~ If any members of the Commission need to make disclosures or recuse themselves based on the application before them, the Commission members shall do so at this time.
2. The President will ask ~~the County Planning~~ Staff to present the case. The ~~s~~Staff will describe the property and describe the application request and action required.
3. The President will then allow the applicant, or authorized agent, to make his\her presentation. The time limit for the applicant's presentation is normally ten (10) minutes; however, the President may allow up to fifteen minutes (15) for complex cases.
- ~~4. The President will ask the County Planning Staff to present their staff's recommendation.~~
4. After reviewing the public hearing procedures, the President will call for citizen testimony. All presentations are timed and limited to a three (3) minute period. Persons will be recognized in the order in which their names appear on the Speakers List. A written statement to the Planning Commission Staff may be submitted if you do not want to speak directly to the Commission. All written correspondence is entered into the public record for each application.
5. Following the completion of the citizen testimony, the applicant will have the opportunity to respond to questions and/or issues raised by the Commission and/or citizens. The time limit for the applicant's rebuttal testimony is normally five (5) minutes.
6. After the applicant's rebuttal, the President will recognize the ~~s~~Staff for their recommendation, closing comments and/or responses to questions. In addition to the closing remarks from ~~s~~Staff, Commission members will be recognized for their questions, concerns, or comments on this application.
7. Following all comments, the President will call for a motion for Commission discussion and action.

PLANNING COMMISSION POLICY REGARDING THE SUBMITTAL OF DOCUMENTS FOR AGENDA ITEMS

Approved by the Planning Commission 12/08/2015

SUBMISSION OF DOCUMENTS

The Planning Commission establishes deadlines for the submittal of supplemental information presented to the Commission for Public Hearings.

Submissions regarding all items for Commission consideration shall be received by the Departments of Planning and Zoning no later than 1 week prior to the scheduled Planning Commission meeting to allow ample time for the review of comments submitted.

Late submissions, including submissions made the day before or the day of any meeting by this Commission, may not receive full consideration due to lack of time for proper Commission review.

Any documents received after the public comment period, or any documents received that do not pertain to an agenda item will be filed but not submitted to PC members and placed under non-actionable correspondence on the next meeting agenda.

~~Recommended this 8th day of December, 2015~~

~~By vote of the Jefferson County Planning Commission~~ Approved by Action of the Planning Commission:

By a vote of 8 Yes 0 No For Against

~~Stephen Stolipher~~ Mike Shepp
Planning Commission President

Date

PLANNING COMMISSION PUBLIC MEETINGS POLICY

Approved by Planning Commission 07/08/2025

The Planning Commission establishes its own rules for the conduct of public hearings and public workshops to ensure a smooth and orderly process. Procedures and policies for public hearings and public workshops are found below.

Public comment is welcome and encouraged to be submitted prior to all meetings.

PUBLIC HEARINGS AND PUBLIC WORKSHOPS PROCEDURES FOR APPLICATIONS

All persons planning to testify on an item open to public comment should refer to the Conduct of Public Hearings and Public Workshops Section found below. The following is an outline of the procedures for public hearings and public workshops followed by the Commission when a land use application is presented. The items are listed in the order in which they usually occur.

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4. After reviewing the public hearings and public workshops procedures, the President or the presiding Commission member will call for citizen testimony. All presentations are timed and limited to a three (3) minute period. Persons will be recognized in the order in which their names appear on the Speakers List. A written statement to the Planning Commission Staff may be submitted if you do not want to speak directly to the Commission. All written correspondence is entered into the public record for each application.

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Approved by Action of the Planning Commission: By a vote of ___ For ___ Against

Mike Shepp
Planning Commission President

Date

PLANNING COMMISSION PUBLIC MEETINGS POLICY

Approved by Planning Commission 07/08/2025

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Approved by Action of the Planning Commission: By a vote of ___ For ___ Against

Mike Shepp
Planning Commission President

Date



Jefferson County, West Virginia

Department of Engineering, Planning, and Zoning

Office of Planning and Zoning

116 East Washington Street, 2nd Floor

Charles Town, WV 25414

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Phone: (304) 728-3228

Email: zoning@jeffersoncountywv.org

Fax: (304) 728-8126

Planner's Memorandum Planning Commission Meeting July 8, 2025

1) Department of Engineering, Planning and Zoning County Offices Contact Information

BUILDING PERMITS & INSPECTIONS 304-725-2998 permits@jeffersoncountywv.org

IMPACT FEES 304-728-3331 - mmason@jeffersoncountywv.org

ENGINEERING 304-728-3257 - engineering@jeffersoncountywv.org

PLANNING & ZONING 304-728-3228 - planningdepartment@jeffersoncountywv.org, zoning@jeffersoncountywv.org

GIS & ADDRESSING 304-724-6759 - gis@jeffersoncountywv.org

2) Planning Commission Training Discussion

- Section 4.8 – Training of the Planning Commission Bylaws requires Commissioners to have two hours of training every year from County Staff or an individual affiliated with the APA. At the first Planning Commission meeting of 2025, the Commission directed staff to prepare training regarding GIS, Adjudicatory and Ministerial Actions, and Robert's Rules of Order. At this time, no training has taken place as recent Planning Commission agendas have had a significant number of agenda items. Staff would like to discuss the best way to move forward to ensure the yearly training is provided.

3) Upcoming PC meetings

- Next Regular meeting date: **August 12, 2025**
 - 7:00 pm Planning Commission Meeting

Public Comment Actionable Correspondence Public Comment Index

- 1) Public Comment Actionable Correspondence_2025-06-21 – Shackelford
- 2) Public Comment Actionable Correspondence_2025-06-22 – Butler
- 3) Public Comment Actionable Correspondence_2025-06-22 – Graham-Gardner
- 4) Public Comment Actionable Correspondence_2025-06-22 – Hogan
- 5) Public Comment Actionable Correspondence_2025-06-23 – Bahmonde-DiGiambattista
- 6) Public Comment Actionable Correspondence_2025-06-23 – Bergman
- 7) Public Comment Actionable Correspondence_2025-06-23 – Cunningham
- 8) Public Comment Actionable Correspondence_2025-06-23 – Cunningham (2)
- 9) Public Comment Actionable Correspondence_2025-06-23 – Fraser
- 10) Public Comment Actionable Correspondence_2025-06-23 – Hatcher, D
- 11) Public Comment Actionable Correspondence_2025-06-23 – Hatcher, R
- 12) Public Comment Actionable Correspondence_2025-06-23 – Martin
- 13) Public Comment Actionable Correspondence_2025-06-23 – Muse
- 14) Public Comment Actionable Correspondence_2025-06-23 – Watts
- 15) Public Comment Actionable Correspondence_2025-06-23 – White
- 16) Public Comment Actionable Correspondence_2025-06-24 – Austin
- 17) Public Comment Actionable Correspondence_2025-06-24 – Garlena
- 18) Public Comment Actionable Correspondence_2025-06-24 – Haygood
- 19) Public Comment Actionable Correspondence_2025-06-25 – Jones
- 20) Public Comment Actionable Correspondence_2025-06-25 – Withers
- 21) Public Comment Actionable Correspondence_2025-06-26 – Chamblin
- 22) Public Comment Actionable Correspondence_2025-06-26 – Christopher
- 23) Public Comment Actionable Correspondence_2025-06-26 – Ehlman
- 24) Public Comment Actionable Correspondence_2025-06-26 – Peck
- 25) Public Comment Actionable Correspondence_2025-06-27 – Printz
- 26) Public Comment Actionable Correspondence_2025-06-27 – Rowley
- 27) Public Comment Actionable Correspondence_2025-06-27 – Tomlin
- 28) Public Comment Actionable Correspondence_2025-06-27 – Wellington
- 29) Public Comment Actionable Correspondence_2025-06-27 – Welsh
- 30) Public Comment Actionable Correspondence_2025-06-28 – Thomas
- 31) Public Comment Actionable Correspondence_2025-06-29 – Tucker
- 32) Public Comment Actionable Correspondence_2025-06-29 – Barrat
- 33) Public Comment Actionable Correspondence_2025-06-29 – Marshalll
- 34) Public Comment Actionable Correspondence_2025-06-29 – Patrick
- 35) Public Comment Actionable Correspondence_2025-06-29 – Salladay
- 36) Public Comment Actionable Correspondence_2025-06-30 – Berzinskas
- 37) Public Comment Actionable Correspondence_2025-06-30 – Bullock
- 38) Public Comment Actionable Correspondence_2025-06-30 – Camacho
- 39) Public Comment Actionable Correspondence_2025-06-30 – Caprio
- 40) Public Comment Actionable Correspondence_2025-06-30 – Carter
- 41) Public Comment Actionable Correspondence_2025-06-30 – Chase
- 42) Public Comment Actionable Correspondence_2025-06-30 – Cramphin
- 43) Public Comment Actionable Correspondence_2025-06-30 – Darr-Clarke
- 44) Public Comment Actionable Correspondence_2025-06-30 – Degenhardt, L
- 45) Public Comment Actionable Correspondence_2025-06-30 – Degenhardt, T
- 46) Public Comment Actionable Correspondence_2025-06-30 – Discini
- 47) Public Comment Actionable Correspondence_2025-06-30 – Dodd
- 48) Public Comment Actionable Correspondence_2025-06-30 – Dorsey
- 49) Public Comment Actionable Correspondence_2025-06-30 – Doyle

Public Comment Actionable Correspondence Public Comment Index

- 50) Public Comment Actionable Correspondence_2025-06-30 – Fisher, J
- 51) Public Comment Actionable Correspondence_2025-06-30 – Fisher, R
- 52) Public Comment Actionable Correspondence_2025-06-30 – Fremaux, C
- 53) Public Comment Actionable Correspondence_2025-06-30 – Fremaux, E
- 54) Public Comment Actionable Correspondence_2025-06-30 – Heiderman
- 55) Public Comment Actionable Correspondence_2025-06-30 – Hook
- 56) Public Comment Actionable Correspondence_2025-06-30 – Howard
- 57) Public Comment Actionable Correspondence_2025-06-30 – Johnston
- 58) Public Comment Actionable Correspondence_2025-06-30 – Kay
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- 60) Public Comment Actionable Correspondence_2025-06-30 – Lloyd, K
- 61) Public Comment Actionable Correspondence_2025-06-30 – Lloyd, L
- 62) Public Comment Actionable Correspondence_2025-06-30 – Martin
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- 68) Public Comment Actionable Correspondence_2025-06-30 – Rampy
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- 71) Public Comment Actionable Correspondence_2025-06-30 – Reifer
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- 73) Public Comment Actionable Correspondence_2025-06-30 – Roth, A
- 74) Public Comment Actionable Correspondence_2025-06-30 – Roth, T
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- 79) Public Comment Actionable Correspondence_2025-06-30 – Stutter
- 80) Public Comment Actionable Correspondence_2025-06-30 – Temple
- 81) Public Comment Actionable Correspondence_2025-06-30 – Vogel
- 82) Public Comment Actionable Correspondence_2025-06-30 – Walsh
- 83) Public Comment Actionable Correspondence_2025-06-30 – Weigel
- 84) Public Comment Actionable Correspondence_2025-06-30 – Wood
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- 88) Public Comment Actionable Correspondence_2025-07-01 – Barrett
- 89) Public Comment Actionable Correspondence_2025-07-01 – Bastian
- 90) Public Comment Actionable Correspondence_2025-07-01 – Camacho
- 91) Public Comment Actionable Correspondence_2025-07-01 – Delles
- 92) Public Comment Actionable Correspondence_2025-07-01 – Grantham
- 93) Public Comment Actionable Correspondence_2025-07-01 – Gray
- 94) Public Comment Actionable Correspondence_2025-07-01 – Green
- 95) Public Comment Actionable Correspondence_2025-07-01 – Healey
- 96) Public Comment Actionable Correspondence_2025-07-01 – Johnson
- 97) Public Comment Actionable Correspondence_2025-07-01 – Koonce
- 98) Public Comment Actionable Correspondence_2025-07-01 – Lo

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- 99) Public Comment Actionable Correspondence_2025-07-01 – McBee
- 100) Public Comment Actionable Correspondence_2025-07-01 – Meehan
- 101) Public Comment Actionable Correspondence_2025-07-01 – Miller, J
- 102) Public Comment Actionable Correspondence_2025-07-01 – Miller, T
- 103) Public Comment Actionable Correspondence_2025-07-01 – Morningstar
- 104) Public Comment Actionable Correspondence_2025-07-01 – Newsome
- 105) Public Comment Actionable Correspondence_2025-07-01 – Payne
- 106) Public Comment Actionable Correspondence_2025-07-01 – Russo
- 107) Public Comment Actionable Correspondence_2025-07-01 – Simms
- 108) Public Comment Actionable Correspondence_2025-07-01 – Temple, A
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- 110) Public Comment Actionable Correspondence_2025-07-01 – Thompson, R
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- 116) Public Comment Actionable Correspondence_2025-07-01 – Wimer, S
- 117) Public Comment Actionable Correspondence_2025-07-01 – Yates
- 118) Public Comment Actionable Correspondence_2025-07-01 – Yuhasz

Planning Department

From: Planning Department
Sent: Tuesday, June 24, 2025 9:57 AM
To: 'Susan Shackelford'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Susan Shackelford <shackelfordsusan@outlook.com>
Sent: Saturday, June 21, 2025 7:50 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,
Susan

--

Susan Shackelford
shackelfordsusan@outlook.com

Planning Department

From: Planning Department
Sent: Tuesday, June 24, 2025 9:59 AM
To: 'Jane Butler'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Jane Butler <butlertwins97@aol.com>
Sent: Sunday, June 22, 2025 6:23 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Jane Butler
butlertwins97@aol.com

Planning Department

From: Planning Department
Sent: Tuesday, June 24, 2025 10:00 AM
To: 'Rosemary Graham-Gardner'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Rosemary Graham-Gardner <liaisonsus@aol.com>
Sent: Sunday, June 22, 2025 11:00 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Rosemary Graham-Gardner
liaisonsus@aol.com

Planning Department

From: Planning Department
Sent: Tuesday, June 24, 2025 9:58 AM
To: 'Edward Hogan'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Edward Hogan <Nonrev59@me.com>
Sent: Sunday, June 22, 2025 9:01 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,
Edward Hogan

--

Edward Hogan
Nonrev59@me.com

Planning Department

From: Planning Department
Sent: Tuesday, June 24, 2025 10:01 AM
To: 'Lori Bahamonde-DiGiambattista'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Lori Bahamonde-DiGiambattista <loribahadigi@hotmail.com>
Sent: Monday, June 23, 2025 6:30 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning. Commissioners,

Please vote NO on the new Policy for public hearings. TRANSPARENCY IS IMPORTANT. For example, using abbreviated titles, acronyms, or initials without a full explanation is poor grammar. And its shady! Recent example of RK&K being something about an industrial park comes across as a deliberate ploy to conceal.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Lori Bahamonde-DiGiambattista
loribahadigi@hotmail.com

Planning Department

From: Planning Department
Sent: Tuesday, June 24, 2025 10:06 AM
To: 'Windsong Bergman'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Windsong Bergman <bergmanwindsong@yahoo.com>
Sent: Monday, June 23, 2025 4:34 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

It is so important for Jefferson County citizens like me to be able to trust our planning commission. Please make sure to communicate openly with us and work actively to enable public comment and participation. In the end this will yield better results!

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Windsong Bergman
bergmanwindsong@yahoo.com

Planning Department

From: Planning Department
Sent: Tuesday, June 24, 2025 10:05 AM
To: 'Amy Cunningham'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Amy Cunningham <amy.in.dar@gmail.com>
Sent: Monday, June 23, 2025 11:52 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

I am a nearly 20 year public servant and a veteran. I served at embassies overseas for 20 years. As a public servant I took EVERY meeting requests by a stakeholder or constituent. I urge you to do the same.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Sincerely,

Amy Cunningham

--

Amy Cunningham
amy.in.dar@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, June 24, 2025 10:01 AM
To: 'Amy Cunningham'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Amy Cunningham <amyecunningham@yahoo.com>
Sent: Monday, June 23, 2025 12:17 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings. I am a nearly 20 year public servant and have ALWAYS prioritized allowing time to hear from stakeholders and constituents. This is how we hear the best ideas, the concerns and information to help feed into decisions. In your role - you represent our desires as citizens.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Amy Cunningham
amyecunningham@yahoo.com

Planning Department

From: Planning Department
Sent: Tuesday, June 24, 2025 10:02 AM
To: 'David Fraser'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: David Fraser <retiredhocl@yahoo.com>
Sent: Monday, June 23, 2025 9:42 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

David Fraser

--

David Fraser
retiredhocl@yahoo.com

Planning Department

From: Planning Department
Sent: Tuesday, June 24, 2025 10:04 AM
To: 'Dennis Hatcher'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Dennis Hatcher <dgeraldh@frontiernet.net>
Sent: Monday, June 23, 2025 11:48 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Dennis Hatcher
dgeraldh@frontiernet.net

Planning Department

From: Planning Department
Sent: Tuesday, June 24, 2025 10:04 AM
To: 'Ruth Hatcher'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Ruth Hatcher <ruthhatcher756@hotmail.com>
Sent: Monday, June 23, 2025 11:46 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Ruth Hatcher
ruthhatcher756@hotmail.com

Planning Department

From: Planning Department
Sent: Tuesday, June 24, 2025 10:03 AM
To: 'joseph martin'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: joseph martin <foei@msn.com>
Sent: Monday, June 23, 2025 9:50 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning. Commissioners,

I stand today to implore you to vote NO on the new Policy for public hearings.

I request you remove the language limiting public comment to 90 minutes. Hearing from citizens, with both positive or negative commentary, is part and parcel of a true Democratic Republic. By limiting comments to an arbitrary 90-minute time slot, you appear to be unwilling to listen to your fellow citizens who are directly impacted by your decision making.

I also believe you may be violating a requirement in your bylaws in attempting to make this change via policy rather than by those same bylaws. This would require you to hold a public hearing and vote on such a change. A vote would put members on record

The Planning Commission in my opinion must and should represent the citizens and should desire to hear from them, rather than limit discourse.

Thank you for considering my comment.

Sincerely,

Joseph Martin
Charles Town

--

joseph martin
foei@msn.com

Planning Department

From: Planning Department
Sent: Tuesday, June 24, 2025 10:02 AM
To: 'Mark Muse'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Mark Muse <1xmmuse@gmail.com>
Sent: Monday, June 23, 2025 8:24 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

This is important! Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Mark Muse
1xmmuse@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, June 24, 2025 10:05 AM
To: 'Elizabeth Watts'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Elizabeth Watts <elizabeth.watts@verizon.net>
Sent: Monday, June 23, 2025 12:14 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Elizabeth Watts
elizabeth.watts@verizon.net

Planning Department

From: Planning Department
Sent: Tuesday, June 24, 2025 10:05 AM
To: 'Joseph White'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Joseph White <jjcwhite@gmail.com>
Sent: Monday, June 23, 2025 12:05 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Joseph White
jjcwhite@gmail.com

Planning Department

From: Planning Department
Sent: Thursday, June 26, 2025 9:13 AM
To: 'Katherine Austin'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Katherine Austin <KatherineA144@gmail.com>
Sent: Tuesday, June 24, 2025 4:33 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Katherine Austin
KatherineA144@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, June 24, 2025 10:06 AM
To: 'Sharon Garlena'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Sharon Garlena <sharong0722@gmail.com>
Sent: Tuesday, June 24, 2025 8:58 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Sharon Garlena
sharong0722@gmail.com

Planning Department

From: Planning Department
Sent: Thursday, June 26, 2025 9:14 AM
To: 'Vicki Haygood'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Vicki Haygood <haygoodvicki@gmail.com>
Sent: Tuesday, June 24, 2025 10:09 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Vicki Haygood
haygoodvicki@gmail.com

Planning Department

From: Planning Department
Sent: Thursday, June 26, 2025 9:15 AM
To: 'Jennifer Jones'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Jennifer Jones <jenajones44@gmail.com>
Sent: Wednesday, June 25, 2025 8:55 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely, Jennifer Jones
Land owner and WV Native

--

Jennifer Jones
jenajones44@gmail.com

Planning Department

From: Planning Department
Sent: Thursday, June 26, 2025 9:16 AM
To: 'Marie Withers'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Marie Withers <ladywithaview12@yahoo.com>
Sent: Wednesday, June 25, 2025 6:27 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Marie Withers
ladywithaview12@yahoo.com

Planning Department

From: Planning Department
Sent: Friday, June 27, 2025 11:53 AM
To: 'Marie Chamblin'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Marie Chamblin <chamblinmarie@gmail.com>
Sent: Thursday, June 26, 2025 3:12 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning. Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely, Marie Chamblin

--

Marie Chamblin
chamblinmarie@gmail.com

Planning Department

From: Planning Department
Sent: Friday, June 27, 2025 11:54 AM
To: 'Kathryn Christopher'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Kathryn Christopher <Kathrynchristopher@gmail.com>
Sent: Thursday, June 26, 2025 8:17 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy infringes on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Kathryn Christopher
Kathrynchristopher@gmail.com

Planning Department

From: Planning Department
Sent: Thursday, June 26, 2025 9:18 AM
To: 'Martha Ehlman'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Martha Ehlman <mjehlman@gmail.com>
Sent: Thursday, June 26, 2025 7:01 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning. Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Martha Ehlman
mjehlman@gmail.com

Planning Department

From: Planning Department
Sent: Thursday, June 26, 2025 9:16 AM
To: 'Thomas Peck'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Thomas Peck <tompeck94@gmail.com>
Sent: Thursday, June 26, 2025 3:08 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Thomas Peck
tompeck94@gmail.com

Planning Department

From: Planning Department
Sent: Monday, June 30, 2025 9:35 AM
To: 'Ali Printz'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Ali Printz <aliprintz@gmail.com>
Sent: Friday, June 27, 2025 4:22 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Ali Printz
aliprintz@gmail.com

Planning Department

From: Planning Department
Sent: Monday, June 30, 2025 9:35 AM
To: 'pam rowley'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: pam rowley <pamelakrowley@gmail.com>
Sent: Friday, June 27, 2025 8:31 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

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The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely, Pamela Rowley

--
pam rowley
pamelakrowley@gmail.com

Planning Department

From: Planning Department
Sent: Monday, June 30, 2025 9:27 AM
To: 'Walter Tomlin'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Walter Tomlin <skinsfan1961@aol.com>
Sent: Friday, June 27, 2025 6:30 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Walter Tomlin
skinsfan1961@aol.com

Planning Department

From: Planning Department
Sent: Friday, June 27, 2025 11:54 AM
To: 'Lisa Wellington'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Lisa Wellington <Bluebird1130@aol.com>
Sent: Friday, June 27, 2025 6:56 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.
It is important to hear all public comments. Do not limit it.

Sincerely,
Lisa Wellington

--

Lisa Wellington
Bluebird1130@aol.com

Planning Department

From: Planning Department
Sent: Monday, June 30, 2025 9:27 AM
To: 'Rosalind Welsh'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Rosalind Welsh <welsharch@yahoo.com>
Sent: Friday, June 27, 2025 3:45 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning. Commissioners,

Dear Commissions,

I understand you were not happy to vote at 2:45 AM for the water bottling plant. Limiting public comments to 90 minutes will encourage 1 side of any question to take up all the 90 minutes by being first in line to sign up to speak. All the above stated legal reasons to NOT limit public comments are important!!! Do not be swayed by bad advice, especially from the county attorney. I voted for you because I expected you to defend individual rights as listed in our laws. There have been several times recently in which you removed public participation. Do not make this mistake again!!!!

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

Lynn Welsh

--

Rosalind Welsh
welsharch@yahoo.com

Planning Department

From: Planning Department
Sent: Monday, June 30, 2025 9:37 AM
To: 'Carolyn Thomas'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Carolyn Thomas <webethomas@aol.com>
Sent: Saturday, June 28, 2025 6:16 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning. Commissioners,

Please vote NO on the new Policy for public hearings.

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By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Carolyn Thomas
webethomas@aol.com

Planning Department

From: Planning Department
Sent: Monday, June 30, 2025 9:36 AM
To: 'Terry Tucker'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Terry Tucker <terrytuckersunforest@gmail.com>
Sent: Saturday, June 28, 2025 4:47 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Dear Planning Commissioners,
You are planning for us; you are planning on our behalf. We are not your enemies, nor are we in your way. We are people who live here in Jefferson County and we are the ones you need to hear from in order to plan wisely for the present and future of this county. Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Terry Tucker
terrytuckersunforest@gmail.com

Planning Department

From: Planning Department
Sent: Monday, June 30, 2025 9:43 AM
To: 'ANNE BARRAT'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: ANNE BARRAT <barrat@live.com>
Sent: Sunday, June 29, 2025 8:04 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Dear Commission Members,
Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,
Anne Barrat
Shenandoah Junction

--

ANNE BARRAT
barrat@live.com

Planning Department

From: Planning Department
Sent: Monday, June 30, 2025 9:42 AM
To: 'Ned Marshall'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Ned Marshall <nmarzk@gmail.com>
Sent: Sunday, June 29, 2025 6:57 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Ned Marshall
nmarzk@gmail.com

Planning Department

From: Planning Department
Sent: Monday, June 30, 2025 9:43 AM
To: 'Suzanne Patrick'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Suzanne Patrick <biltmore19@comcast.net>
Sent: Sunday, June 29, 2025 7:24 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

The public needs adequate time to comment on issues

The more controversial the issue, the more the need for time for everyone to make known their reactions.

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely, Suzanne Patrick

--

Suzanne Patrick
biltmore19@comcast.net

Planning Department

From: Planning Department
Sent: Monday, June 30, 2025 9:39 AM
To: 'Philip Carter Salladay'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Philip Carter Salladay <philsalladay@yahoo.com>
Sent: Sunday, June 29, 2025 12:50 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Philip Carter Salladay
philsalladay@yahoo.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:53 AM
To: 'STEPHEN BERZINSKAS'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: STEPHEN BERZINSKAS <sberzinkas@comcast.net>
Sent: Monday, June 30, 2025 7:21 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
STEPHEN BERZINSKAS
sberzinkas@comcast.net

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 10:00 AM
To: 'dan bullock'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: dan bullock <reelfuntime@yahoo.com>
Sent: Monday, June 30, 2025 11:31 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
dan bullock
reelfuntime@yahoo.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:54 AM
To: 'abraham camacho'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: abraham camacho <AbrahamECamacho@gmail.com>
Sent: Monday, June 30, 2025 7:43 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
abraham camacho
AbrahamECamacho@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 10:00 AM
To: 'Miriam Caprio'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Miriam Caprio <dineywall@frontiernet.net>
Sent: Monday, June 30, 2025 9:57 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely, Miriam Caprio AFTER ALL WE LIVE HERE AND ARE THE GRASSROOTS!

--

Miriam Caprio
dineywall@frontiernet.net

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 10:02 AM
To: 'Keith Carter'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Keith Carter <kdc57@icloud.com>
Sent: Monday, June 30, 2025 6:56 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Keith Carter
kdc57@icloud.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:54 AM
To: 'Lindsay Chase'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Lindsay Chase <lbchase896@gmail.com>
Sent: Monday, June 30, 2025 8:14 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Lindsay Chase
lbchase896@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:47 AM
To: 'Chris Cramphin'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Chris Cramphin <Crc272@gmail.com>
Sent: Monday, June 30, 2025 6:30 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,
Chris Cramphin

--

Chris Cramphin
Crc272@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:39 AM
To: 'Hannah Darr-Clarke'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Hannah Darr-Clarke <hldarr91@gmail.com>
Sent: Monday, June 30, 2025 11:33 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,
Hannah Darr-Clarke

--

Hannah Darr-Clarke
hldarr91@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:57 AM
To: 'Laura Degenhardt'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Laura Degenhardt <lmeadva@yahoo.com>
Sent: Monday, June 30, 2025 9:00 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Limiting public comment sends the message that you don't value what the taxpayer has to say on a given issue. It's important for the public to be informed and involved and for those holding important positions in the county to take these comments seriously.

Thank you for considering my comment.

Sincerely,

--

Laura Degenhardt
lmeadva@yahoo.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:41 AM
To: 'Toby Degenhardt'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Toby Degenhardt <tobydegenhardt@hotmail.com>
Sent: Monday, June 30, 2025 6:04 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Toby Degenhardt
tobydegenhardt@hotmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:46 AM
To: 'Sonny Discini'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Sonny Discini <thehorse13@gmail.com>
Sent: Monday, June 30, 2025 6:28 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

Sonny Discini

--

Sonny Discini
thehorse13@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:55 AM
To: 'Karla Dodd'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Karla Dodd <Koalalover56@aol.com>
Sent: Monday, June 30, 2025 8:22 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings. As citizens and taxpayers of Jefferson County, WV, we deserve the right to express our opinions regarding any major changes to our county that will affect the county, and the way of life we deserve here. There so be no time limit on meetings regarding major land use decisions. Jefferson County is a beautiful, family oriented county. This is not an industrial area, and we value our rural lifestyle. Every citizen deserves the right to speak up about major changes, and limiting the time of a session is not allowing everyone who would like to comment a chance to do so.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Karla Dodd

Koalalover56@aol.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:54 AM
To: 'Christine Dorsey'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Christine Dorsey <Bcdorsey@me.com>
Sent: Monday, June 30, 2025 7:25 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

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By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Christine Dorsey
Bcdorsey@me.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:38 AM
To: 'John Doyle'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: John Doyle <rjohndoyle@comcast.net>
Sent: Monday, June 30, 2025 10:34 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy will infringe on the due process rights of any person who does not get to speak due to the time limit.

There should be NO time limit on Public Comment at hearings. Even if it means you must allow for a hearing to be recessed until the next day (having advertised that possibility), democracy requires you to allow every person who wishes to speak to do so. If you wish to limit individual comments to two minutes, rather than three minutes (but no shorter than two minutes), I think that would be fair. Anyone should be able to make a point in two minutes.

The Planning Commission is not a private company, nor is the County Commission or any of the agencies, boards, commissions or other entities of county government. Each public body has a moral responsibility to listen to any citizen who wishes to be heard.

The Planning Commission should represent the people. This requires hearing from the people.

Thank you for considering my comment.

Sincerely,

--

John Doyle
rjohndoyle@comcast.net

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:43 AM
To: 'Jennifer Fisher'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Jennifer Fisher <missonethousandsspringblossoms@gmail.com>
Sent: Monday, June 30, 2025 6:10 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

I'd have think you learned how important public comment is by the Mountain Pure meeting! That meeting was a hard lesson for all..lessons about how more transparency helps quell community suspicion or worry, how repeated use of executive sessions enable public unrest and distrust, and how important issues on matters of public trust and service-how it all is perceived or executed by all parties involved, etc. impact or shape community discourse. I think the Planning Commission has definitely not learned the right lessons, as they now seek to further lessen transparency and increase community distrust or worry by seeking to limit public civil discourse.

What are you afraid of that you need to do this? A long night? The passionate public? So much fear that you justify taking what seems to many unauthorized action to exert control over the public you represent?

Serving the public is hard, arduous work. It is often thankless. I know this as a public servant myself. It's why I sent handwritten thank you cards out after that long Mountain Pure meeting.

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Jennifer Fisher

missonethousandsspringblossoms@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:43 AM
To: 'Roseanna Fisher'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Roseanna Fisher <pinkdoorsociety@gmail.com>
Sent: Monday, June 30, 2025 6:10 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Roseanna Fisher
pinkdoorsociety@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:45 AM
To: 'Charlotte Fremaux'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Charlotte Fremaux <cmfremaux@gmail.com>
Sent: Monday, June 30, 2025 6:23 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Good government needs to reflect the needs and concerns of the voters and people who have to live with the consequences of actions and policies on our behalf. Good government should be happy to hear from an engaged public. Attempts to stifle robust input from the citizenry lead to bad public policy. This is what is being attempted here and it reflects badly upon the Planning Commission's ability to represent the people of Jefferson County.

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Charlotte Fremaux

cmfremaux@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:49 AM
To: 'emmett fremaux'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: emmett fremaux <emmett.fremaux@gmail.com>
Sent: Monday, June 30, 2025 6:30 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings. If you want to consider changing a fundamental policy that affects public participation you propose it as a formal bylaw change that requires a vote by the commissioners and a formally noticed Public Hearing.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

Emmett Fremaux 25425

--

emmett fremaux
emmett.fremaux@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:50 AM
To: 'Joyce Heiderman'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Joyce Heiderman <jheiderm17@gmail.com>
Sent: Monday, June 30, 2025 6:47 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Joyce Heiderman
jheiderm17@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 10:00 AM
To: 'Holland Hook'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Holland Hook <hollandhook8@gmail.com>
Sent: Monday, June 30, 2025 11:19 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

You must remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy infringes on the due process rights of any person who does not get to speak due to the time limit. WE ARE A COMMUNITY!

By making this change through policy rather than a bylaw change the Planning Commission appears would be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, our families, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely, Holland Hook

--

Holland Hook
hollandhook8@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:44 AM
To: 'Marjorie Howard'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Marjorie Howard <Margiehoward340@yahoo.com>
Sent: Monday, June 30, 2025 6:21 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Marjorie Howard
Margiehoward340@yahoo.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:45 AM
To: 'Victoria Johnston'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Victoria Johnston <danavickij@comcast.net>
Sent: Monday, June 30, 2025 6:24 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Hearing from the public of this county should not be limited. You need to ensure every voice is heard in matters that concern us all.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Victoria Johnston
danavickij@comcast.net

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:56 AM
To: 'Debby Kay'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Debby Kay <debbyk612@hotmail.com>
Sent: Monday, June 30, 2025 8:44 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

I am really hoping the Commissioners are reading and listening to all these comments. We are not trying to make your job more difficult rather we are attempting to protect our interests, our families well being, our property and the beautiful county we live in by making sure due process is followed.

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission is our best hope for keeping this county beautiful, thriving and growing and we are all willing to work to make that happen and hope you are too.

Thank you for considering my comment.

Sincerely, Debby Kay

--

Debby Kay
debbyk612@hotmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:59 AM
To: 'Rev. Linda Lewis'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Rev. Linda Lewis <Lalewis54@gmail.com>
Sent: Monday, June 30, 2025 10:21 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning. Commissioners,

Please vote NO on the new Policy for public hearings which would limit public comments on agenda items. We have the right to oppose or support proposed zoning changes. Each resident has that human right. These are our communities and towns and neighborhoods. If you do not have the time to listen to these comments, or the compassion for the people making them, find people who can and will.

Sincerely, Rev. Linda Lewis, Shannondale.

--

Rev. Linda Lewis
Lalewis54@gmail.com

Planning Department

From: Planning Department
Sent: Monday, June 30, 2025 9:43 AM
To: 'Kathy Lloyd'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Kathy Lloyd <Sweens1205@gmail.com>
Sent: Monday, June 30, 2025 5:45 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings. We deserve to be heard! Some issues are more complex. They need more attention!

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Kathy Lloyd
Sweens1205@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:51 AM
To: 'Leah Lloyd'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Leah Lloyd <leewat18@yahoo.com>
Sent: Monday, June 30, 2025 7:14 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Leah Lloyd
leewat18@yahoo.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 10:02 AM
To: 'Joseph Martin'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Joseph Martin <Jozif1212@msn.com>
Sent: Monday, June 30, 2025 7:24 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Joseph Martin
Jozif1212@msn.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:39 AM
To: 'Elizabeth McGowen'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Elizabeth McGowen <efmcgowen@yahoo.com>
Sent: Monday, June 30, 2025 2:58 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning. Commissioners,

LIMITING PUBLIC COMMENT???
NOOOO!!!'

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Elizabeth McGowen
efmcgowen@yahoo.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:42 AM
To: 'Alicia Michaels'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Alicia Michaels <aliciamichaels32@gmail.com>
Sent: Monday, June 30, 2025 6:10 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,
Alicia Michaels

--

Alicia Michaels
aliciamichaels32@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:56 AM
To: 'Barbara Milleson'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Barbara Milleson <barblmilleson@gmail.com>
Sent: Monday, June 30, 2025 8:59 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Barbara Milleson
barblmilleson@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:59 AM
To: 'Suellen Myers'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Suellen Myers <Willowsp@earthlink.net>
Sent: Monday, June 30, 2025 9:43 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them. You are supposed to listen to all public comment and if that takes more than 90 minutes then it does. It seems that the Commission is trying to do a run around open and transparent meetings.

Thank you for considering my comment.

Sincerely,
Suellen Myers

--

Suellen Myers
Willowsp@earthlink.net

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:58 AM
To: 'Danielle Patterson'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Danielle Patterson <Danielle.patterson8284@gmail.com>
Sent: Monday, June 30, 2025 6:34 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

I understand that it is frustrating and tiresome to be in long planning commission meetings. As a Jefferson County resident I ALSO don't want to be in meetings until 3:00 in the morning. Unfortunately, that seems to be the only way many listen to the public's opinion. Lastly, if you're not approving businesses or development that a large part of the county would protest against bringing to our area, the public wouldn't have to come out in droves asking you to vote no. If you are not interested in hearing everyone's opinions about the place we ALL live in or you have an early bed time this might not be the board for you!! I have been to enough planning commission meetings to know that long meetings are sometimes necessary and if I was worried about the time I would not ask to be appointed to this position. This certainly seems like a tactic to silence the public.

Thank you for considering my comment.

Sincerely,

Danielle Patterson

--

Danielle Patterson

Danielle.patterson8284@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:46 AM
To: 'Leah Rampy'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Leah Rampy <leah.rampy9@gmail.com>
Sent: Monday, June 30, 2025 6:25 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning. Commissioners,

Please vote NO on the new Policy for public hearings.

Of course it's difficult to listen late into the night to public comments. But that's what it takes for citizens to be engaged. That's what it takes for you to be fully informed. Don't give up on the wisdom of a democracy.

Thank you.

--

Leah Rampy
leah.rampy9@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:50 AM
To: 'suzanne m ravgiala'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: suzanne m ravgiala <illpass@comcast.net>
Sent: Monday, June 30, 2025 7:01 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning. Commissioners,

HOW DARE YOU LIMIT PUBLIC COMMENTS ON THINGS THAT AFFECT OUR COMMUNITY IN A BAD WAY .

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

suzanne m ravgiala
illpass@comcast.net

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:41 AM
To: 'Stacey Rawlings'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Stacey Rawlings <RawlingsFarmWV@gmail.com>
Sent: Monday, June 30, 2025 6:02 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings. While I understand you may not want to have your time wasted with unnecessary singing, The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

Thank you for considering my comment.

Sincerely,
Stacey Rawlings

--

Stacey Rawlings
RawlingsFarmWV@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:53 AM
To: 'Edward Reifer'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Edward Reifer <e_reifer@yahoo.com>
Sent: Monday, June 30, 2025 7:24 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning. Commissioners,

Dear Commissioners:

Public participation is the foundation of our republic.
The Founding Fathers placed immense value on civic duty.
It is unacceptable that you would even consider a limit to public participation.
Everyone affected by the commission's decisions has a right to be heard.
Citizen input and participation should be welcomed, not limited.

Please DO NOT limit public participation.

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

Edward J. Reifer

--

Edward Reifer
e_reifer@yahoo.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:53 AM
To: 'Linda Roberts'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Linda Roberts <llr5504@gmail.com>
Sent: Monday, June 30, 2025 7:23 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Linda Roberts
llr5504@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:44 AM
To: 'Alden Roth'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Alden Roth <aldenroth@gmail.com>
Sent: Monday, June 30, 2025 6:23 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Alden Roth
aldenroth@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:42 AM
To: 'Trudy Roth'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Trudy Roth <trudyroth@citlink.net>
Sent: Monday, June 30, 2025 6:04 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings. There are many items that the Commission takes action on and they all affect our community. Limiting public comment will lessen the impact of YOUR constituents' ability to tell you how they feel on these important items.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Trudy Roth
trudyroth@citlink.net

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:38 AM
To: 'Anne Ryan'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Anne Ryan <jacl4ryan@gmail.com>
Sent: Monday, June 30, 2025 10:51 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Anne Ryan
jacl4ryan@gmail.com

--

Douglas Shaffer
dkshaffe@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:56 AM
To: 'Ellen Smith'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Ellen Smith <esmithart30@gmail.com>
Sent: Monday, June 30, 2025 8:53 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,
Ellen Smith-Tchakirides

--

Ellen Smith
esmithart30@gmail.com

Planning Department

From: Planning Department
Sent: Monday, June 30, 2025 9:44 AM
To: 'Theresa Stogner'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Theresa Stogner <theresastogner@gmail.com>
Sent: Monday, June 30, 2025 8:06 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them. This is the commission's job. It would not have to limit public comment if the commission was truly representing the public's needs. The fact that the commission feels it has to limit public comment is a testament to a failure to represent the people.

Thank you for considering my comment.

Sincerely,

--

Theresa Stogner
theresastogner@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:55 AM
To: 'Molly Sutter'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Molly Sutter <mollyasutter@gmail.com>
Sent: Monday, June 30, 2025 8:37 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning. Commissioners,

Please vote NO on the new Policy for public hearings.

None of us wants meetings that stretch long into the night, but limiting public comment to 90 minutes will not address the root issue here, which is that residents of Jefferson County do not feel heard or represented by the Planning Commission. I am happy to brainstorm creative ways to address this with you all. I truly do not believe infringing on due process rights of citizens and taking away their voice is what will really bring about shorter meetings and a more effective planning commission.

Additionally, making this change through policy rather than a bylaw change, the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Peace,

--

Molly Sutter
mollyasutter@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:40 AM
To: 'Lizz Temple'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Lizz Temple <Lizettelobner@hotmail.com>
Sent: Monday, June 30, 2025 6:00 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Lizz Temple
Lizettelobner@hotmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:58 AM
To: 'Steven Vogel'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Steven Vogel <steven.j.vogel@earthlink.net>
Sent: Monday, June 30, 2025 6:25 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Steven Vogel
steven.j.vogel@earthlink.net

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:50 AM
To: 'AnnaMary Walsh'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: AnnaMary Walsh <amwalsh222@yahoo.com>
Sent: Monday, June 30, 2025 6:40 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new policy for public hearings.

Residents in our county aren't given many opportunities to voice their concerns in person except at meetings. To prohibit anyone from voicing a concern/opinion at a meeting because of a time constraint imposed by members of our Planning Commission gives the impression that only those residents who attend in time to sign up to speak have a more important opinion than others.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak because of the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Yours truly,
Anna Mary Walsh

--

AnnaMary Walsh
amwalsh222@yahoo.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:52 AM
To: 'Karen Weigel'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Karen Weigel <karen.weigel@gmail.com>
Sent: Monday, June 30, 2025 7:19 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

I feel it is important to hear from everyone who wants to speak. This is necessary for the Planning Commission to be able to make informed decisions.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy.

Thank you for considering my comment.

Sincerely,
Karen Weigel

--

Karen Weigel
karen.weigel@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:40 AM
To: 'Carol Wood'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Carol Wood <cwood453@aol.com>
Sent: Monday, June 30, 2025 6:01 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Carol Wood
cwood453@aol.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:51 AM
To: 'Irene Yates'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Irene Yates <yatesfamily1987@gmail.com>
Sent: Monday, June 30, 2025 7:03 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning. Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may, and no doubt will, infringe on the due process rights of any person who does not get to speak as a result of the time limit. In addition, commissioners need to hear from as many of those they serve as possible in order to make appropriate decisions.

By making this change through policy rather than a bylaw change the Planning Commission appears to be bypassing the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission is charged with representing the people, and, therefore, needs to truly hear from the public in order to best represent them.

Thank you for considering my comment.

Sincerely,

--

Irene Yates
yatesfamily1987@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 9:58 AM
To: 'Linda Zwobota'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Linda Zwobota <Zwobota@aol.com>
Sent: Monday, June 30, 2025 9:15 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings. Just plain wrong, and not why you were elected. Listen!

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Linda Zwobota
Zwobota@aol.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 3:19 PM
To: 'Skye Allen'
Subject: RE: Please don't limit public input to 90 minutes

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Skye Allen <mycookieman1296@gmail.com>
Sent: Tuesday, July 1, 2025 12:07 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them. I can only assume nefarious intentions are behind the limit of due process. Limiting public comment will adversely affect the residents of the county if corporations or other businesses are able to simply ignore negative feedback if there's not enough time to speak.

Thank you for considering my comment.

Sincerely,
Skye Allen

--

Skye Allen
mycookieman1296@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 10:01 AM
To: 'David Barrett'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: David Barrett <barrett20099@comcast.net>
Sent: Tuesday, July 1, 2025 3:10 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment. Do the right thing, you can't disregard public comments on growth of Jefferson County.

Sincerely, David Barrett

--

David Barrett
barrett20099@comcast.net

Planning Department

From: Planning Department
Sent: Wednesday, July 2, 2025 9:27 AM
To: 'nicola bastian'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: nicola bastian <nicolashandy@aol.com>
Sent: Tuesday, July 1, 2025 7:39 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning. Commissioners,

Please vote NO on the new Policy for public hearings.

Why?

Because democracy is more than voting.

Anything that encourages people to more fully participate in the processes of having influence on what the future of their communities should/ could look like, needs to be encouraged, and any elected/ appointed governmental group of folk should be glad and praise citizens who help with information they have to navigate ever more complex decisions .

Thank you for voting no thanks limit time for the people to speak .

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

nicola bastian

nicolashandy@aol.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 3:21 PM
To: 'Pamela D.Camacho'
Subject: RE: Please don't limit public input to 90 minutes

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Pamela D.Camacho <pameladejesus115@gmail.com>
Sent: Tuesday, July 1, 2025 2:45 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Pamela D.Camacho
pameladejesus115@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 4:15 PM
To: 'Lynn Delles'
Subject: RE: Please don't limit public input to 90 minutes

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Lynn Delles <lbdelles@gmail.com>
Sent: Tuesday, July 1, 2025 3:52 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

As someone that sat through ALL of the public hearing on March 11, 2025 for the Mountain Pure concept plan, I find it absolutely abhorrent that the Planning Commission would attempt to limit public comment during a public hearing to 90 minutes. It was heartwarming and encouraging to see so many residents stand up, speak up, and make their voices heard, some into the wee hours of the morning. Public engagement is essential to making decisions that affect the general public. It may seem monotonous to hear the same comments over and over; it may feel like you doubt that the speaker is actually a resident of the county (which is also absurd and a cop out to think that anyone from MD or VA would take the time to come to solve WV's problems by talking to a planning commission -- unless you count the two gentlemen that were paid to come speak in support of the project and then quickly left once they were finished). This is when it is even more important to pay attention that the general public has the same feelings about a project and how it affects them, their neighbors, their community, and their livelihoods. This is exactly the kind of engagement we need when making big decisions on projects, ordinances, bylaws, regulations, etc., that affect communities.

Therefore, I ask that you please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Lynn Delles
lbdelles@gmail.com

Planning Department

From: Planning Department
Sent: Wednesday, July 2, 2025 9:28 AM
To: 'William Grantham'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: William Grantham <bgrantham@frontiernet.net>
Sent: Tuesday, July 1, 2025 3:11 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
William Grantham
bgrantham@frontiernet.net

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 10:04 AM
To: 'Nicholas Gray'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Nicholas Gray <Oakclimber@gmail.com>
Sent: Tuesday, July 1, 2025 7:25 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

I feel strongly that the people's voices have the right to be heard. Limiting the public's voice is absolutely wrong. Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

Nicholas Gray

--

Nicholas Gray
Oakclimber@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 10:07 AM
To: 'Patrick Green'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Patrick Green <letstango2000@yahoo.com>
Sent: Tuesday, July 1, 2025 9:52 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy will infringe on the due process rights of any person who does not get to speak due to the time limit. State Code §8A-2-1. is entitled "Planning commissions authorized" and (e) of this section states "A planning commission has only those powers, duties and jurisdiction as given to it in the ordinance creating it." In Jefferson County the Planning Commission is created by the Jefferson County Zoning and Land Development Ordinance. Nowhere in this Zoning Ordinance does it give the Planning Commission the authority to make Policy.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Patrick Green
letstango2000@yahoo.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 10:03 AM
To: 'Beth Healey'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Beth Healey <healey07@yahoo.com>
Sent: Tuesday, July 1, 2025 6:15 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,
Beth Healey
Jefferson County resident

--

Beth Healey
healey07@yahoo.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 3:19 PM
To: 'Theresa Johnson'
Subject: RE: Please don't limit public input to 90 minutes

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Theresa Johnson <baruffi52@hotmail.com>
Sent: Tuesday, July 1, 2025 2:20 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Theresa Johnson
baruffi52@hotmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 10:06 AM
To: 'Leigh Koonce'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Leigh Koonce <h.s.leigh.koonce@gmail.com>
Sent: Tuesday, July 1, 2025 9:26 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

At a time when Jefferson County is seeing such an explosion of residential growth and strain on existing services and infrastructure, the public deserves to be heard, even if it takes hours and hours. The outpouring of public comment about the proposed bottling plant is a perfect example.

Thank you for considering my comment.

Sincerely,

Leigh Koonce,
Shepherdstown (formerly Harpers Ferry & Summit Point)

--

Leigh Koonce
h.s.leigh.koonce@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 10:05 AM
To: 'Hilary Lo'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Hilary Lo <lo.family.wv@gmail.com>
Sent: Tuesday, July 1, 2025 7:25 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

In recent years and in the foreseeable future, many planning commission votes have impacts on the quality of life, economic conditions and property values of Jefferson County residents. Hearing all citizen comments is a core responsibility of the commission. It's also our fundamental right to express our requests about policy not only to the commission but to our neighbors in a public forum. Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Hilary Lo
lo.family.wv@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 3:19 PM
To: 'Teresa McBee'
Subject: RE: Please don't limit public input to 90 minutes

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Teresa McBee <teresamcbee@gmail.com>
Sent: Tuesday, July 1, 2025 12:41 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them. Those who elected you did so out of trust that you would uphold due process and recognize their right to speak, regardless of what you personally think is right or what may personally benefit you. Please keep in mind the highest and best outcome for all Jefferson County citizens.

Thank you for considering my comment.

Sincerely,

--

Teresa McBee
teresamcbee@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 4:59 PM
To: 'Zachary Meehan'
Subject: RE: Please don't limit public input to 90 minutes

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Zachary Meehan <eliasmeehan@gmail.com>
Sent: Tuesday, July 1, 2025 4:33 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

I am a born and raised local tradesman. I own a successful small business and I come from a family of small business owners. We are all in the equine industry. We work very hard and can't always make it to meetings and public hearings. But when we feel strongly enough about something that we show up and sign up to speak, we deserve to be heard whether we sign up 1st, 31st, or 91st. I came to the Mountain Pure public hearing, waited my turn, and spoke late in the evening, even though I had to be up early to take care of my farm, my animals, and go to work. Are you really going to tell hard working people like myself who show up because we care about this community and its future that you can't take the time to hear us?

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

Elias Meehan

--

Zachary Meehan
eliasmeehan@gmail.com

Planning Department

From: Planning Department
Sent: Wednesday, July 2, 2025 9:28 AM
To: 'Jennifer Miller'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Jennifer Miller <jenpikemiller@gmail.com>
Sent: Monday, June 30, 2025 7:27 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Jennifer Miller
jenpikemiller@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 3:10 PM
To: 'Troy Miller'
Subject: RE: Please don't limit public input to 90 minutes

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Troy Miller <TroyNMillerWV@Gmail.com>
Sent: Tuesday, July 1, 2025 10:13 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Public comment is essential to ensure accountability and transparency to the public. While it may be inconvenient to have to hold long meetings and allot time for important development and planning decisions, it would be a dereliction of duty to limit public comment simply for 'efficiency'.

The fact that some meetings go on for hours while members of the public give comment is a feature of the system, not a bug, and it should serve to inform the members of the Planning Commission about where the public stands on an issue. This is essential because the Planning Commission serves the public ultimately, and they cannot fully do that if they limit public input for sake of expediency.

Expediently approving unpopular decisions that are within the power of the Planning Commission to approve or deny cannot be a reason to suppress public input and public comment. In fact, that is precisely the reason that this bylaw change should be rejected and public comment should remain. If it is unduly burdensome to hear all public comment in a single meeting, multiple sessions should be held until such time that all public commenters have been heard *before* action is taken on any given proposal before the Planning Commission.

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

Troy N. Miller

--

Troy Miller

TroyNMillerWV@Gmail.com

Planning Department

From: Planning Department
Sent: Wednesday, July 2, 2025 9:27 AM
To: 'Madge Morningstar'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Madge Morningstar <madge@morningstargrants.com>
Sent: Tuesday, July 1, 2025 11:53 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

I am shocked and appalled at this attempt to weaken our democratic process!

Thank you for considering my comment.

Sincerely,
Madge

--

Madge Morningstar
madge@morningstargrants.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 10:01 AM
To: 'Jennifer Newsome'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Jennifer Newsome <jennanewsome@yahoo.com>
Sent: Tuesday, July 1, 2025 4:02 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Jennifer Newsome
jennanewsome@yahoo.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 4:58 PM
To: 'Lisa Payne'
Subject: RE: Please don't limit public input to 90 minutes

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Lisa Payne <lisagpayne@comcast.net>
Sent: Tuesday, July 1, 2025 4:31 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

As a person who has served in local public office, I am writing asking you to remove the 90-minute limit on the public portion of any one agenda item from the policy. When citizens attend public hearings and feel they have something to say, whether for or against a policy, plan, project or other item on any publicly elected or appointed body, limiting the time period for public comment silences speakers who, just possibly, may have an important message that could make a difference in the success or failure of a project. Limiting the speaker to three minutes is not unreasonable. Limiting the total amount of time disenfranchises the public (constituents of those who appointed you) and demonstrates that the Planning Commission doesn't value or respect those citizens who wish to speak. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

It is also disturbing that the proposed change is not being made in keeping with common parliamentary procedure or by the process in place for making procedural changes. By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Respectfully,

--

Lisa Payne
lisagpayne@comcast.net

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 3:12 PM
To: 'Maria Russo'
Subject: RE: Please don't limit public input to 90 minutes

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Maria Russo <maria.spring.russo@gmail.com>
Sent: Tuesday, July 1, 2025 11:51 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

The people of Jefferson County deserve to have their voices heard. By limiting public comment, you are restricting the people you are supposed to serve from sharing how we want you to lead. Having grown up in Shenandoah Junction, I care deeply about the future of this county. It should be up to the people to decide the future direction -- not solely the people in charge.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people and needs to hear from the public to best represent them.

Thank you for your careful consideration of my comment.

Sincerely,

--

Maria Russo

maria.spring.russo@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 10:07 AM
To: 'Michael Simms'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Michael Simms <msimms7727@outlook.com>
Sent: Tuesday, July 1, 2025 9:46 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

Frequently power, greed and self-satisfaction tends to cloud elected officials judgement. Public comment is important to bring elected officials back to focus on public interest. The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Michael Simms
msimms7727@outlook.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 3:32 PM
To: 'A Temple'
Subject: RE: Please don't limit public input to 90 minutes

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: A Temple <Amt13007@gmail.com>
Sent: Tuesday, July 1, 2025 3:24 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
A Temple
Amt13007@gmail.com

Planning Department

From: Planning Department
Sent: Wednesday, July 2, 2025 9:29 AM
To: 'B Temple'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: B Temple <Ltemple030711@icloud.com>
Sent: Monday, June 30, 2025 6:54 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
B Temple
Ltemple030711@icloud.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 3:50 PM
To: 'Rebecca Thompson'
Subject: RE: Please don't limit public input to 90 minutes

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Rebecca Thompson <beccatmail@gmail.com>
Sent: Tuesday, July 1, 2025 3:39 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning. Commissioners,

Please do not put a limit on the amount of time the public is allowed to speak at public hearings!
The public has a right to be heard and it is essential that anyone who wants to voice their opinion about anything being addressed by the planning commission is allowed to do so.
If a time limit is imposed, in some cases, not everyone will be able to voice their comments and concerns. This is not how local government should be run.
The public has a right to be heard. NOT JUST SOME OF US, ALL OF US! Every person matters, therefore, every single voice matters.

Some of the planning commissions may think that listening to all of the public comments takes too long and they don't have time for it and may feel they shouldn't have to be occasionally subjected to hours and hours of it. However, you knew that listening to the public during public hearings was part of the job when you volunteered for it. If you don't have time for it and it doesn't fit into your schedule, or If you thought you had time to dedicate to doing all the very important tasks of a planning commissioner, including listening to the public at the public hearings, but have realized you simply don't have the time for it or if you feel that it is waisting your time, please step down and let someone else who would be genuinely happy to dedicate their time and energy, step into the role.

**BEING A PLANNING COMMISSIONER IS A PRIVELEDGE, NOT A RIGHT!
HOWEVER, CITIZENS HAVING A VOICE IS A RIGHT! DON'T TAKE THAT RIGHT AWAY!**

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,
Rebecca Thompson
Jefferson County resident

--

Rebecca Thompson
beccatmail@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 4:15 PM
To: 'Thomas Thompson'
Subject: RE: Please don't limit public input to 90 minutes

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Thomas Thompson <trbobt@gmail.com>
Sent: Tuesday, July 1, 2025 4:01 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Just as the role of the planning commissioners is essential, the role of the public is just as essential!
DONT'T SHUT US OUT!

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,
Bob Thompson

--

Thomas Thompson
trbobt@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 10:05 AM
To: 'Brown Truslow'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Brown Truslow <btruslow@gmail.com>
Sent: Tuesday, July 1, 2025 8:54 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Planning Commission,

Sometimes there are divisive and important planning issues that affect a large number of county residents. It is very important that each citizen has the ability to address their concerns. I get it, listening to complaint after complaint is tedious and maybe boring at times, however, this is precisely what a volunteer commission is expected to do. It's not the only responsibility, but it is important to listen to every citizen that has an interest in planning for this county.

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

Thank you for considering my comment.

Sincerely,
Brown Truslow

--

Brown Truslow
btruslow@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 10:06 AM
To: 'Elizabeth vesper'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Elizabeth vesper <evesper60@gmail.com>
Sent: Tuesday, July 1, 2025 9:19 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings. I don't see how any of this project makes sense. You would be destroying one of the most beautiful villages we have left. Why would you do that? That doesn't even take into account the ecological disaster this would be. This company doesn't care a thing about this county. It's up to us to tell people that can't keep using West Virginia as their dumping ground. I'm tired of this county being sold out!

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Elizabeth vesper
evesper60@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 10:06 AM
To: 'Christine Wiegman'
Subject: RE: Please don't limit public input to 90 minutes

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Christine Wiegman <chriscorsam@yahoo.com>
Sent: Tuesday, July 1, 2025 9:45 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Christine Wiegman
chriscorsam@yahoo.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 3:50 PM
To: 'Christine Wimer'
Subject: RE: Please don't limit public input to 90 minutes

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Christine Wimer <clwimer1@yahoo.com>
Sent: Tuesday, July 1, 2025 3:40 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

It is not clear to me that these Policies are even legal. West Virginia State Code is entitled "Planning commissions authorized" and (e) of this section states "A planning commission has only those powers, duties and jurisdiction as given to it in the ordinance creating it." In Jefferson County the Planning Commission is created by the Jefferson County Zoning and Land Development Ordinance. Nowhere in this Zoning Ordinance does it give the Planning Commission the authority to make Policy. In fact, section 3.4 B. 1. of the Zoning Ordinance states that "rules of procedure are established in the Bylaws of the Jefferson County Planning Commission..." This addition of a time limit to the public portion of a public hearing or public workshop is a rule of those procedures and there for must be put in the bylaws not a policy. The difference is that a bylaw change would require a public hearing and a vote by the elected County Commission. Doing tis through policy skips all that cutting the people and their elected officials out of the process.

I understand that it is difficult to sit through an 8 hour hearing long into the night but there are other solutions. Start the hearing at noon allow rolling signups until 7 or have a two day hearing. Limiting the due process rights is not a good solution.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Christine Wimer
clwimer1@yahoo.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 4:58 PM
To: 'Susie Wimer'
Subject: RE: Please don't limit public input to 90 minutes

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Susie Wimer <susiewimer@yahoo.com>
Sent: Tuesday, July 1, 2025 4:25 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

The members of the Planning Commission NEED to listen to the people. The public servants who have been appointed to the Planning Commission cannot represent the people without first hearing from them. This is why state code, the zoning ordinance, and the subdivision regulations require public input in the form of public hearings and public workshops. The members of the Planning Commission cannot be expected to know every subject and every concern of the public without hearing from them. Likewise the public cannot be expected to characterize all of its concerns about a subject in a simple 3 minutes or even 30 sets of 3 minutes.

It is my understanding that you were unhappy about the length and character of the public comments at recent hearings, including but not limited to repetitiveness, comment in the form of song, and comments you perceived to be off topic. The public should be allowed to express themselves as they feel most impactful and address the topics that they feel are most important to them. While this may seem repetitive to you it is the right of the people. The songs presented in recent hearings were on topic and had strong pertinent messages. These should not be discounted or denied. The recent hearing on the water bottling plant while long was remarkably NOT repetitive. If you heard the same thing over and over I hope you listen more carefully in the future. Each all but three commenters had the same conclusion, but the reasons and subject matter was different. In fact groups of people worked together to make sure that their comments covered different subject matter and that as much information was covered as possible. Even so there were many subjects that were not covered because there simply was not time and because some people could not stay until they were called.

This work by the public is in the Planning Commissions own interest. When the Planning Commission's decisions are challenged in court the Planning Commission must rely at least in part on the record on which it made its decision. The public comment provides a large portion of that public record. Limiting public comment will unnecessarily limit the public record opening the Planning Commission up to more legal liability.

Then there is the real possibility that entities with deep pockets who need approvals from the Planning Commission will take advantage of this policy by hiring enough individuals, from outside the community to give public comment in favor of their project, that the entire time is consumed. This will deprive the public of the opportunity to participate and deprive the planning commission of a proper public record. If there was no time limit this approach by an applicant would not be as successful.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--

Susie Wimer
susiewimer@yahoo.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 3:21 PM
To: 'Sam Yates'
Subject: RE: Please don't limit public input to 90 minutes

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Sam Yates <samanthaeyates@gmail.com>
Sent: Tuesday, July 1, 2025 2:52 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshopp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

Please vote NO on the new Policy for public hearings.

Please remove the 90-minute limit on the public portion of any one agenda item from the policy. This policy may infringe on the due process rights of any person who does not get to speak due to the time limit.

By making this change through policy rather than a bylaw change the Planning Commission appears to be skipping the public hearing and vote by the County Commission that would be required for a bylaw change.

The Planning Commission should represent the people, and needs to hear from the public to best represent them.

Thank you for considering my comment.

Sincerely,

--
Sam Yates
samanthaeyates@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 3:18 PM
To: 'Julia Yuhasz'
Subject: RE: Please don't limit public input to 90 minutes

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Julia Yuhasz <juliayuhasz@gmail.com>
Sent: Tuesday, July 1, 2025 11:53 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>
Subject: Please don't limit public input to 90 minutes

Dear Planning Commissioners,

I implore you to vote NO on the new policy for public hearings.

The 90-minute limit on the public portion of any one agenda item should be removed. This time limit could infringe on the due process rights of individuals who may not get the opportunity to speak.

By making this change as a policy instead of a bylaw, the Planning Commission seems to be bypassing the public hearing and vote by the County Commission that a bylaw change would require.

The Planning Commission and other Commissions exist to represent the people and MUST hear public input to do so effectively.

Thank you for considering my comment.

Sincerely,
Julia

--

Julia Yuhasz
juliayuhasz@gmail.com

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 3:11 PM
To: 'Elizabeth Nicholson'
Subject: RE: Comment for Inclusion in July 8th Planning Commission Meeting Packet

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Elizabeth Nicholson <elizabeth.m.g.nicholson@gmail.com>
Sent: Tuesday, July 1, 2025 10:18 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Comment for Inclusion in July 8th Planning Commission Meeting Packet

To Whom it May Concern,

Please find attached my comment regarding the proposed public comment policy for inclusion in the June 8th Planning Commission meeting packet.

I thank you for all that you do behind the scenes to ensure that the Planning Commission meetings run smoothly.

Warmly,
Elizabeth

Commissioners,

Good morning. My name is Elizabeth Nicholson, and I am writing to strongly urge you to vote no on the proposed policy to limit public comment to a 90-minute window during your hearings.

As members of the Jefferson County Planning Commission, you are appointed to represent the people of Jefferson County. To do so effectively, you must be willing to hear the voices of the public. Citizen participation is the bedrock of our democracy. This proposed time limit risks infringing on the rights of myself and my neighbors to voice our opinion on decisions that seriously shape our community.

I am sympathetic to the fact that, with the exception of County Commissioner Cara Keys, you are all volunteering your time to serve the community and that extended periods of public comment can feel repetitive or tiring.

However, I do not believe the suggested alternatives, such as asking community members to coordinate who speaks or what is said, are fair or reasonable. These suggestions shift the burden onto the public, when it is you, as our representatives, who bear the responsibility to listen. Repetition in public comment may seem redundant, but it also provides a clear signal of how deeply and widely an issue resonates within the community.

Once again, I respectfully urge you to vote no on this proposed policy. It does not serve the interests of Jefferson County residents and sets a troubling precedent for public participation moving forward.

Thank you for your service to our community and for taking the time to consider my comment.

Sincerely,
Elizabeth Nicholson

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 3:20 PM
To: 'tjmilliron@comcast.net'
Cc: jjmilliron77@gmail.com
Subject: RE: July 8, 2025 Public Comment -- Milliron

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: tjmilliron@comcast.net <tjmilliron@comcast.net>
Sent: Tuesday, July 1, 2025 2:36 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Cc: jjmilliron77@gmail.com
Subject: July 8, 2025 Public Comment -- Milliron

Good Afternoon Planning Department,

Please find the Attached document to serve as my written public comment for the July 8, 2025 Planning Commission Meeting. Thank you.

Sincerely,
Jacquelyn Milliron

To: Jefferson County Planning Commission

July 1, 2025

RE: July 8, 2025 Meeting Agenda Public Comment from Jacquelyn Milliron

Dear Planning Commissioners,

Please accept this letter as a comment in response to Item number 12 related to Public Comment and Legal Hearing proposed time limitations. I oppose the what I understand to be a 90-minute rule, but will offer an alternative to reasonably include important face to face verbal comments from members of the affected public. For some, it is the only access they have to share their thoughts with you.

The hearing for the Sidewinder bottling company concept plan is an example of what I would consider probably the longest a hearing could potentially run with about 120 people speaking. My proposal is for the planning commission to factor in longer hearings that are vastly important to the community within the context of public interest.

 **Current Proposed:**

90 minutes = 3 min x 30 speakers. Not public friendly or flexible for some community matters.

 **Alternative Proposal:**

3 min x 30 speakers = 90 minutes PLUS 1 min each for the remaining speakers.

In the case of the Sidewinder hearing, the commission could have concluded within about 3 hours having 120 speakers.

I have seen this method used at other government meetings and it does seem to work. It supports reward for timely sign-ups. It also encourages the planning commission to hear ALL individual viewpoints and alleviates the potential of inadvertent exclusion due to informative coordinated comments.

You may agree that the majority of public comments and hearings have not been lengthy. I hope you find this proposal reasonable and an acceptable compromise.

Thanks for reading my two cents.

Sincerely,

Jacquelyn Milliron

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 4:16 PM
To: 'Cheryl Middleton'
Subject: RE: Public input for Planning Commission Meeting Re: limiting public input

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Cheryl Middleton <cmiddl01@yahoo.com>
Sent: Tuesday, July 1, 2025 4:08 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public input for Planning Commission Meeting Re: limiting public input

Hello,

This email shall serve as my formal comment should be distributed to the planning commission members. It's my understanding that the county is setting up or has already set up county emails for those commissioners, but I do not see those published yet. Please ensure the planning commission receives my comments and that these comments are incorporated into the packet.

The feedback I am providing today is regarding a motion that was made at a recent planning commission meeting related to limiting public comment to 90 minutes on any particular topic. This is not only inappropriate from a public input perspective, but also from an authority perspective.

The zoning ordinance and other related regulations provide appropriate processes for additional reviews and public comment for those things that deviate from approved zoning rules. Limiting public comment to 90 minutes per topic is shortsighted. It does not provide sufficient input for some large scale and or controversial items. A 90 minute per topic would be less than 30 speakers which I have we've seen on recent cases, there have been significantly more than 30 speakers. Regardless of whether some planning commission members think that those speakers are providing valuable or valid input, that is not for their determination. Anyone affected by those potential actions have the right to provide public input. This is an attempt at censorship.

Additionally, the bylaws of the planning commission do not grant the authority to make this policy decision. This policy decision is in direct violation of those bylaws. I would highly encourage the county attorney and the county administrator, as well as the county commission provide appropriate guidance on this topic to the complaining commission to avoid costly and unnecessary litigation.

I recognize that the planning commission members are volunteers and this is a significant time commitment. If some of those commissioners cannot commit the necessary time to allow for appropriate public comment on material topics, they should resign from their voluntary positions.

If the public can dedicate the time to discuss these noteworthy topics, the commission members need to as well. And if they can't, then they shouldn't be volunteering for these roles.

Transparency in government activities is key to gain and retain public trust. This vote by the planning commission is driving in the wrong direction. But maybe that's the whole point...it makes it look like the planning commission is trying to just push certain things through without appropriate oversight.

The citizens of Jefferson County for whom these volunteers are supposed to be representing deserve better.

I recommend that the planning commission call a recall motion to retract/rescind the recommendation to limit public comment time.

Regards,
Cheryl Middleton
Middleway Resident.

Sent from my iPhone

Planning Department

From: Planning Department
Sent: Tuesday, July 1, 2025 4:59 PM
To: 'Andrew Earley'
Cc: Nathan Cochran; michaelshpepp@me.com
Subject: RE: Jefferson County Foundation Letter in Opposition to Proposed Planning Commission Policy

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the July 8, 2025 meeting. This packet will be made available on the County's webpage by close of business on Thursday, July 3, 2025.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Andrew Earley <aeary@fairshake-els.org>
Sent: Tuesday, July 1, 2025 4:52 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Cc: Nathan Cochran <ncochran@jcpawv.org>; michaelshpepp@me.com
Subject: Jefferson County Foundation Letter in Opposition to Proposed Planning Commission Policy

Jefferson County Planning Commission:

Please find attached a comment submitted by Jefferson County Foundation regarding the proposed policy changes discussed at the June 10, 2025 meeting. Thank you for attention to this matter.

Best,

Andrew Earley
WV Staff Attorney
Fair Shake Environmental Legal Services
232 Capitol Street, Ste. 14
Charleston, WV 25301
aeary@fairshake-els.org
www.fairshake-els.org
304-712-9352

This e-mail (and any attachments hereto) is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail, and any attachments hereto, is strictly prohibited. If you have received this e-mail in error, please (1) notify me by replying to this message; (2) permanently delete the original and any electronic copies of this e-mail and any attachments; and (3) destroy any hard copies of the same. Although this e-mail is not intended to contain any virus or defect, you are responsible for ensuring that no virus or defect exists that may affect your computer. The sender disclaims any responsibility for any loss or damages arising from any virus or defect associated with this e-mail. Thank you.



Fair Shake[®]
Environmental Legal Services

July 1, 2025

VIA EMAIL DELIVERY (planningdepartment@jeffersoncountywv.org)

Jefferson County Planning Commission

C/o: Luke Seigfried

116 East Washington St.

Charles Town, WV 25414

Re: Planning Commissions Plans to Limit Public Comment Period to Ninety Minutes per Item

Honorable Members of the Planning Commission:

I write to you on behalf of Jefferson County Foundation, Inc. (the “Foundation”), in opposition to a proposed change to your policies for the administration of public hearings.

The Foundation understands—based on discussion at the June 10, 2025 meeting¹—that you intend to adopt a policy that would impose a 90-minute time limit for the public comment portion of a hearing, regardless of how many people have requested to speak. As explained below, the Foundation respectfully asks that you refrain from adopting such a policy, for two reasons. First, the proposed policy would violate the public’s due process rights under the state and federal constitutions. Second, any change in the Planning Commission’s rules and regulations must first be approved by the County Commission, which has not occurred yet in this case.

A. The proposed policy would violate the West Virginia and United States constitutions by limiting the public’s due process right to be heard.

When the Planning Commission acts on zoning and subdivision-related matters, it makes recommendations and decisions that could permanently alter the built environment of Jefferson County, oftentimes with serious impacts to citizens’ fundamental property rights. For this reason, the Planning Commission is obligated to conduct its hearings in accordance with constitutional notions of due process. *State ex rel. Ellis v. Kelly*, 145 W.Va. 70, pt. 2 syl. (1960). (“Due process of law, within the meaning of the State and Federal constitutional provisions, extends to actions of administrative officers and tribunals[.]”).

¹ 2025-06-10 PC Meeting, Jefferson County WV, <https://www.jeffersoncountywv.org/county-government/departments/office-of-planning-and-zoning/archived-meetings> (follow hyperlink; then select dropdown of 2025 Planning and Zoning Meetings; then select 2025-06-10 PC Meeting).

Due process is a flexible concept, but at a minimum it requires a meaningful opportunity to speak. In the words of the U.S. Supreme Court, “A fundamental requirement of due process is the opportunity to be heard. It is an opportunity which must be granted at a meaningful time and in a meaningful manner.” *Armstrong v. Manzo*, 380 U.S. 545, 552 (1965). The proposed policy would flout this basic requirement by depriving residents of any opportunity to be heard if their comments were not taken during the first 90 minutes of public comment. Based on the Planning Commission’s current policy of limiting public comment to just 3 minutes per person (which can create its own due process issues), the proposed policy would effectively prohibit more than 30 people from speaking in any given hearing. Thus, for speakers numbered 31 and onward, the proposed policy will prohibit them from presenting any argument or evidence whatsoever.

Thus, if the Planning Commission adopts and employs the proposed policy, the inevitable result will be the violation of the due process rights of concerned citizens who wish to speak on the record but are prevented from doing so. Any decision that the Planning Commission makes after denying due process would be legally invalid and subject to reversal in court. *Morgan v. United States*, 298 U.S. 468, 480-81 (1936) (“The 'hearing' is the hearing of evidence and argument. If the one who determines the facts which underlie the order has not considered evidence or argument, it is manifest that the hearing has not been given.”); *see also State ex rel. Ellis*, 145 W.Va. at 76 (“The action of the officer . . . amounting to denial of due process, may be controlled by mandamus.”).

Rather than open the floodgates for litigation and potential liability for the County, the Planning Commission should strike the time limits on public comment from the proposed policy.

B. Any change in the Planning Commission’s rules and regulations must first be approved by the County Commission.

Even if the Planning Commission decides to proceed with the proposed policy as written (which it should not), the Planning Commission itself cannot unilaterally adopt that policy. This is because, under state law, any change in the Planning Commission’s rules and regulations must first be approved by the County Commission.

The Planning Commission’s authority is set forth in and limited by the terms of Chapter 8A, Article 2 of the West Virginia Code. And Section 8A-2-11, entitled “Planning commission’s powers and duties,” contains the following relevant provision.

A planning commission has the following powers and duties: . . .

(2) Prescribe rules and regulations pertaining to administration, investigations and hearings: Provided, That the rules and regulations are adopted by the governing body[.]

Thus, any rules of the Planning Commission regarding hearings must be adopted by the “governing body.” Further, Section 8A-2-10, entitled “Governing body’s duties,” makes clear that the governing body means “[t]he county commission in the case of a county planning commission.” Altogether, the plain language of the West Virginia Code prohibits the Planning Commission from adopting any rules or regulations without the County Commission’s prior approval.

Thus, the Planning Commission should refrain from considering the proposed policy unless and until the County Commission has duly approved the same—by a majority vote, in an open meeting, after proper notice and an opportunity for all members of the public to speak. Because that has not occurred yet in this case, a vote on the proposed policy is premature and must not proceed.

Thank you for your attention to this important matter.

Sincerely,

Andrew C Earley
WV Staff Attorney
Fair Shake Environmental Legal Services
232 Capitol St., Ste. 14
(304) 712-9352
aearley@fairshake-els.org

CC: Nathan Cochran, Esq., Assistant Prosecuting Attorney, Jefferson County Prosecuting Attorney’s Office (ncochran@jcpawv.org)
Michael Shepp, President, Jefferson County Planning Commission (michaelshepp@me.com)