



AGENDA
Jefferson County Planning Commission
Tuesday, August 12, 2014, 7:00 PM

Planning Commission meetings are held in the Old Charles Town Library Meeting Room located at 200 East Washington Street, at the side entrance on Samuel Street in the City of Charles Town.

All Citizens that desire to speak must sign-in prior to the Agenda Item being addressed.

1. Approval of the minutes from the following Planning Commission Meetings:
 - June 10, 2014
 - July 8, 2014
 - July 22, 2014 Special Meeting – Public Hearing
2. Citizen Communications: If you wish to comment, **please sign-in to speak for issues that are not on the agenda or items that are not open for public comment.** Items not open for public comment will be so noted.
3. Request for postponement.
4. Public Hearing on the proposed text amendment to the Jefferson County Zoning Ordinance related to Mass Events (File #ZTA14-02). The amendment includes deleting the term “Seasonal Use” from Section 2.2; adding the definition of “Mass Event” to Section 2.2; deleting Section 9.8 “Seasonal Use”; and creating the new Section 8.16 “Mass Event Regulations” which includes details on the Public Hearing process before the Board of Zoning Appeals and the submittal of a Concept Plan, which is administratively approved.
 - Letter from Mr. Robert Aitcheson
 - Letter from Ms. Joyce Rawn
 - Letter from Mr. Dallas Wolfe as submitted by Ms. Joyce Rawn
5. Public Hearing: Request by: Cambridge, LLC. Cambridge Manufactured Home Park (File#PCV14-02). Request for Determination/Variance Subdivision Ordinance (1979 Version), Article 6, Section 6.3 and Article 8, Section 8.1 (d), requiring sections of development be processed every 24 months and recorded within 90 days.
6. Public Hearing: Request by: Mark E. Roper, et.al. Cave Quarter Estates (File #PCV14-03). Variance request from 1979 Subdivision Regulations, Article 8, Section 8.2 (a)(2), which requires a second entrance for subdivisions over 50 lots; and Section 8.2 (a)(14), which requires a full size turnaround (cul-de-sac) in accordance with the design standards for any dead end streets that serve over 5 lots.

There is no public comment for the remaining items.
7. Review and possible recommendations regarding public comments provided at the Public Hearing on July 22, 2014 and/or public comments received on or before 5:00 p.m. on July 28, 2014 related to the Steering Committee’s recommended DRAFT Envision Jefferson 2035 Comprehensive Plan.
8. Reports from Legal Counsel and legal advice to the Planning Commission.

Active Litigation:

 - Far Away Farms
9. Director’s Report.

10. Planning Commission Exchange and Liaison Reports:

- County Commission Meeting
- Health Department Meeting
- Public Service District Meeting
- Parks and Recreation Meeting
- Jefferson County Development Authority Meeting
- Water Advisory Committee Meeting
- Planning Commission Exchange

11. President's Report.

12. Actionable Correspondence.

13. Non-Actionable Correspondence.

- Email Comment from Ed Smariga dated August 4, 2014 RE: draft 2014 Comprehensive Plan.

14. Signing of approved Motions from previous Planning Commission meetings.

All files are made available for public review Monday through Friday, 9:00 AM to 5:00 PM (excluding Holidays). The Planning Commission welcomes written comments at any time. Submitting a document no later than the Thursday before a scheduled meeting will provide the Commission an advanced opportunity to review your comments prior to the meeting. Please note that documentation and exhibits submitted at a Planning Commission meeting are retained as part of the official record.

Feel free to submit your comments to any of the addresses below:

Physical Address: 116 E. Washington St., Charles Town, West Virginia 25414

Mailing Address: P.O. Box 338, Charles Town, West Virginia 25414

Email Address: planningdepartment@jeffersoncountywv.org

Fax Number: 304-728-8126

Any party desiring a transcript of these proceedings will be responsible for providing a competent stenographer at their own expense. Minutes, video and/or audio recordings of past meetings, the Jefferson County Subdivision Regulations, Zoning Ordinance and Comprehensive Plan, as well as any working proposed amendments are located on the Departments page within the County's website at www.jeffersoncountywv.org. Minutes and audio recordings of older meetings that are not on the County's website are available for review in the office.

This information is
Tab #1 in your binder.

Draft Minutes

Jefferson County Planning Commission June 10, 2014

The Jefferson County Planning Commission met on June 10, 2014, with the following Commission members present: Stephen Stolipher, President; Wade Louthan, Vice President; Gene Taylor, Secretary; Dale Manuel, Gary Phalen, Donnie Fisher, and Mike Chapman. Staff members present included Jennie Brockman, Director of Planning and Zoning; Stephanie Grove, Assistant County Prosecuting Attorney; and Alexandra Beaulieu, Office/Project Manager.

Mr. Dick Childs was absent with notice.

Mr. Stolipher called the meeting to order at 7:04 PM.

1. Approval of the minutes from May 6, 2014 Planning Commission Meeting.

Mr. Phalen motioned to approve the minutes.

Mr. Taylor seconded the motion, which carried unanimously.

2. Citizen Communications. None.

3. Request for postponement. None.

4. Public Hearing regarding a Zoning Map Amendment (re-zoning) request by property owners Hoy Shingleton, Trustee for Pearl Perkins, Beneficiary and Eric and Stacy Lindberg (PC File #Z14-01). The properties are located at 4115 Charles Town Road and 16 Hospice Lane in Kearneysville. The properties are designated as Tax District: Middleway (07); Tax Map 1; Parcels: 1.2 (16.62 acres) and 1.1 (7 acres); and are currently zoned: Rural. The request is to change to the Residential-Light Industrial-Commercial (R-LI-C) zoning category.

Ms. Annette van Hilst represented the applicants, providing an overview of the request. She distributed a printed copy of her PowerPoint presentation.

Mr. Rivard provided an overview of the staff report stating that the request was in conformance with the adopted 2004 Comprehensive Plan.

Mr. Stolipher opened the floor to Public Comment. Ms. Beaulieu stated that one of the applicants signed up to speak.

Mr. Hoy Shingleton stated that he signed up to speak but no longer wished to speak.

Mr. Fisher motioned to close public comment.

Mr. Louthan seconded the motion, which carried unanimously.

Mr. Fisher motioned to recommend approval of the Zoning Map Amendment request for a rezoning from the Rural (R) zoning designation to Residential-Light Industrial-Commercial (R-LI-C) to the County Commission with the Finding that it is in conformance with the 2004 Comprehensive Plan.

Mr. Taylor seconded the motion, which carried unanimously.

5. Public Hearing: Request by applicant Roderick Planes, LLC / Aspen Greens Phase IIA (File #PCV14-01) to be represented by Gates Associated, Inc. for a variance from Article 6, Section 6.3 of the 1979 Jefferson County Subdivision Ordinance which requires a public hearing within 24 months of the previous phase. The applicant is requesting a 12 month extension from June 10, 2014 to June 10, 2015, to advance through the Final Plat public hearing for this development. Property location: Northeast of the intersection of Old Country Club Road with Flowing Springs Road. The property is

designated as Tax District: Charles Town (02); Tax Map: 4; Parcel: 19; Size: 110 acres total (203 lots); Zoned: Rural (R).

Mr. Fred Gates represented the applicant and stated that the request was for a twelve-month extension from the next phase approval deadline of June 10, 2014. He noted that the project was well under way and would likely not require the full twelve-month extension.

Mr. Rivard stated that the applicant was processing under the 1979 Subdivision Ordinance which followed a different timeline from that of the current Subdivision Regulations. Mr. Rivard noted that staff supported an extension of eight months but did not see the need to grant a full twelve-month extension.

Mr. Stolipher opened the floor to public comment.

Ms. Jody Carter stated she owned a farm across from the Aspen Greens subdivision. She stated that she was not speaking against the applicant's request but wanted to go on the record with concerns drainage issues. Ms. Carter stated that with recent heavy rains, her family's farm was dealing with a lot of water running through her farm which was resulting in a lot of standing water, rendering certain sections of the farm unusable.

Mr. Manuel asked Mr. Saunders to address Ms. Carter's concerns from an Engineering standpoint.

Mr. Saunders stated that Aspen Greens was in the sediment erosion control phase and that they had not yet installed stormwater management. He stated that once stormwater management was installed, the issues express by Ms. Carter should be resolved.

Mr. Stolipher asked Mr. Gates if he would like to address Ms. Carter's concerns during the meeting or if he would rather consult with her after the meeting.

Mr. Gates said he would meet with Ms. Carter after the meeting.

Mr. Manuel motioned to close public comment.

Mr. Taylor seconded the motion, which carried unanimously.

Mr. Manuel motioned to grant an extension of ten months to advance through the stage of a Final Plat Hearing on or before April 10, 2014.

Mr. Fisher seconded the motion, which carried unanimously.

6. Public Hearing: Request by applicant St. James Lutheran Church of Uvilla (File #PCW14-02 and -03) to be represented by Kimberly Shrader, P.E. for a waiver from Appendix B, Sections 2.3.A.6, 2.3.B.3 and 9.4.E.3 of the Jefferson County Subdivision and Land Development Regulations. The applicant is requesting the following waivers: from the required concrete apron to allow the use of asphalt (Appendix B, Section 2.3.A.6); a reduction from the required 24' minimum two way entrance width to 18' (Appendix B, Section 2.3.B.3); and a reduction from the required 22' minimum internal site driveways width to 18' (Appendix B, Section 9.4.E.3). The property is located at 4328 Shepherdstown Pike in Shenandoah Junction. The property is designated as Tax District: Shepherdstown (09); Tax Map: 20; Parcel 16; Size: 2.36 ac.; Zoned: Rural (R).

Ms. Shrader represented the applicant and provided an overview of the request.

Mr. Rivard provided an overview of the Planning and Zoning staff report and addressed the request for a waiver from the minimum internal site driveways width. He stated that staff recommended

approval of the request for a reduction from the required 22' to 18'. Mr. Rivard deferred to Engineering Staff for the two additional waivers.

Mr. Saunders provided an overview of the Engineering Report. He stated that he contacted the Division of Highways to determine their requirements and made a recommendation to the Planning Commission to approve a reduction from the minimum required internal site driveways width of 24' to 20'. Mr. Saunders recommended approval of the request to replace the required concrete entrance cross-section with an asphalt cross-section. Mr. Saunders recommended denial of the request to reduce the minimum two way entrance width from 24' to 18' and recommended a reduction of 20' to keep in accordance with DOH requirements.

Mr. Stolipher opened the floor to public comment. Mr. Adam Link signed up to speak; however, Mr. Link stated he did not have any comments but did ask for clarification regarding Mr. Saunders recommendations.

Mr. Taylor motioned to closed public comment. Mr. Louthan seconded the motion, which carried unanimously.

Mr. Louthan motioned to approve the request for a waiver from Appendix B, Section 2.3.A.6 to allow the applicant to use asphalt in place of a concrete apron.

Mr. Phalen seconded the motion, which carried unanimously.

Mr. Fisher motioned to approve the request for a waiver from Appendix B, Section 2.3.B.3 to allow for a reduction from the required 24' minimum two way entrance width to 18'.

Mr. Taylor seconded the motion, which carried unanimously.

Mr. Chapman motioned to approve the request for a waiver from Appendix B, Section 9.4.E.3 to allow for a reduction from the required 22' minimum internal site driveways width to 18'.

Mr. Louthan seconded the motion, which carried unanimously.

7. Presentation by Staff on the draft Envision Jefferson 2035 Comprehensive Plan.

- Request to schedule a Special Workshop to review the Comprehensive Plan with the Steering Committee on June 24, 2014.

Mr. Stolipher scheduled a Special Workshop to review the Comprehensive Plan with the Steering Committee on June 24, 2014.

- Request to schedule a Public Hearing on July 22, 2014

Mr. Manuel motioned to schedule a Public Hearing on July 22, 2014.

Mr. Louthan seconded the motion. The motion passed with six in favor and one opposed (Mr. Stolipher opposed).

Mr. Stolipher called a recess at 8:32 PM. Mr. Stolipher called the meeting to order at 8:48 PM.

8. Discussion and possible recommendation related to Draft Amendment to Zoning Ordinance regarding Mass Events. Request to schedule a public hearing for July 8, 2014.

On page one (1), under **Section 8.16 Mass Event Regulations**, strike items **3. e., f., and g.**

On page two (2), amend item #4 to reflect bond requirements only and no other fees.

- Clarify under what circumstances a bond can be called, including covering jail fees.

- Amend **a. b. c. and d.** rates to just flat fees, rather than daily fees.
- Strike sub-items **e., f., and g.**

Amend item **#6**:

- Amend **a.** to reflect the following: “~~written agreement~~” to “contract” and “~~written proof~~” to “contract”; contracts shall be between “local law enforcement, EMS, Fire, and 911 agencies; a licensed garbage removal company; and a towing-company.”
- Amend **c.** to reflect such that the sliding scale caps at \$2,000,000 (two million dollars).

One page three (3), amend **#9** to reflect such that the fee is equal to the maximum fine for a misdemeanor.

Amend **#10** to reflect the following: remove “~~land owner~~” from responsible parties for jail fees; move to be a part of **Part A, item #4**.

On page four (4), amend **Part B, item #4** to reflect the following:

- Reduce parking area setback requirements from 250 feet to 50 feet from all property lines unless there is a residential structure which would require a setback of 250 feet for parking areas.

The PC discussed setback requirements at length and requested that staff look into setback standards for festivals/events in other jurisdictions. The PC also stated that since the application would go before the Board of Zoning Appeals (BZA) applicants would be permitted to request a variance from setback standards.

Amend **Part B item #5** to reflect the following:

- Extend curfew for amplified performances and performance lighting in **items a. and b.** from “~~12 a.m.~~” to “3:00 a.m.”.
- Extend curfew for sale of alcohol in **item c.** from “~~12 a.m.~~” to “2:00 a.m.” (as regulated by State Law).
- Amend **item d.** to state that the maximum mass event time frame is up to seven (7) days with language such that the Board of Zoning Appeals (BZA) may extend or shorten on a case by case basis.

9. Reports from Legal Counsel and legal advice to the Planning Commission. None.

10. Director’s Report.

Ms. Brockman reviewed the director’s report from the Agenda Packet. She stated that after the current Planning Commission vacancy is filled, she would schedule the new member orientation.

11. Planning Commission Exchange and Liaison Reports: None.

12. President’s Report.

13. Actionable Correspondence.

- Review and possible action regarding draft letter from the Planning Commission to the County Commission requesting automatic extension for subdivisions vested under the 2010 SB 595.

Mr. Fisher motioned to recommend automatic extension for subdivisions vested under SB 595 from July 1, 2015 to July 1, 2017 and submit the drafted letter to the County Commission.

Mr. Taylor seconded the motion, which carried unanimously.

14. Non-Actionable Correspondence.

- Darlene Truman, May 14, 2014 – Planning Commission Resignation.

15. Signing of approved Motions from previous Planning Commission meetings. None.

Mr. Taylor motioned to adjourn the meeting at 9:55 PM.

Mr. Phalen seconded the motion, which carried unanimously.

Draft Minutes

Jefferson County Planning Commission

July 8, 2014

The Jefferson County Planning Commission met on July 8, 2014, with the following Commission members present: Stephen Stolipher, President; Gene Taylor, Secretary; Dale Manuel, Gary Phalen, Dick Childs, and Mike Chapman. Staff members present included Jennie Brockman, Director of Planning and Zoning; Rhonda Greenholtz, Planning Clerk; and Alexandra Beaulieu, Project Manager.

Mr. Wade Louthan and Mr. Donnie Fisher were absent with notice.

Mr. Stolipher called the meeting to order at 7:05 PM.

1. Introduction of new Planning Clerk, Rhonda Greenholtz.
2. Approval of the minutes from June 10, 2014, Planning Commission Meeting.

The minutes from the June 10, 2014 meeting were not prepared in time for the meeting. They will be available at the next regularly scheduled meeting on August 12, 2014.

3. Citizen Communications. None.
4. Request for postponement. None.
5. Discussion and possible recommendation related to Draft Amendment to Zoning Ordinance regarding Mass Events. Request to schedule a public hearing for August 12, 2014.

On page two (2), amend item #4 - remove paragraph regarding jail fee – jail costs.

- Steve Stolipher moved to approve removal of jail fees by show of hands. 5 of the 6 members present were in favor; Mr. Taylor was opposed.

On page 3, item 6 b. members discussed whether to include the requirement to notify the DOH regarding a short term entrance permit. Mr. Fisher requested that staff contact the DOH to determine if a short term entrance permit exists and how long the application process would take.

Mr. Manuel motioned to amend item 6 c. to increase sliding scale for commercial liability insurance from i. \$250,000.00 to \$500,000.00; and ii. \$500,000.00 to \$750,000.00. Mr. Chapman seconded the motion which carried unanimously.

Mr. Manuel motioned to amend page 5, **item #5 d.** to reflect “No mass event may last more than ~~seven~~ four days.” Mr. Chapman seconded, which carried unanimously.

Mr. Manuel motioned to amend page 5, item #5 a. and b. to reduce the noise and lighting curfew from 3:00 a.m. to 1:00 a.m. The motion failed with no second.

Mr. Manuel motioned to schedule a Public Hearing to review the proposed draft Mass Event Regulations for August 12, 2014. Mr. Phalen seconded the motion, which carried unanimously.

6. Reports from Legal Counsel and legal advice to the Planning Commission. None.
7. Director’s Report.
Ms. Brockman reviewed upcoming Planning Commission meetings and reminded the Planning Commission of the upcoming Public Hearing to receive public input on the DRAFT 2014 Comprehensive Plan.
8. Planning Commission Exchange and Liaison Reports: None.
9. President’s Report. None.
10. Actionable Correspondence. None.

Minutes
Planning Commission
July 8, 2014
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11. Non-Actionable Correspondence. None.

12. Signing of approved Motions from previous Planning Commission meetings. None.

Mr. Manuel motioned to adjourn the meeting at 8:06 PM. Mr. Phalen seconded the motion, which carried unanimously.

These minutes were prepared by Ms. Rhonda Greenholtz, Planning Clerk.

Draft Minutes

Jefferson County Planning Commission
July 22, 2014

The Jefferson County Planning Commission met on July 22, 2014, with the following Commission members present: Wade Louthan, Vice President; Gene Taylor, Secretary; Dale Manuel, Gary Phalen, Donnie Fisher, Dick Childs, and Peter Fricke. Staff members present included Jennie Brockman, Director of Planning and Zoning; Seth Rivard, County Planner; and Alexandra Beaulieu, Office/Project Manager; and Rhonda Greenholtz, Planning Clerk.

Mr. Stephen Stolipher and Mr. Mike Chapman were absent with notice. Mr. Wade Louthan, Vice President, presided over the meeting.

Mr. Louthan called the meeting to order at 7:04 PM.

1. Introduction of new Planning Commission member, Peter Fricke.

Mr. Louthan introduced Mr. Peter Fricke as a newly appointed Planning Commission member.

2. Public Hearing regarding the Steering Committee's recommended DRAFT Envision Jefferson 2035 Comprehensive Plan.

Ms. Brockman provided a brief overview of the recommended 2035 Envision Jefferson Comprehensive Plan.

The following community members provided comments during the Public Hearing:

1. Mr. Paul Raco, representing Dr. Swami Nathan
2. Mr. John Aldis
3. Ms. Cathy Vance
4. Mr. R. Latterell
5. Ms. Nicola Bastian
6. Mr. Bill Grantham
7. Mr. Daniel Lutz
8. Mr. Ward Zigler
9. Ms. Cheryl Keyrouze, representing Eastern Panhandle Transit Authority (EPTA/PanTran)
10. Ms. Pam Parziale
11. Ms. Renny Smith
12. Ms. Ronda Lehman
13. Mr. David Tabb
14. Ms. Suzanne Malesic

The following names include members who submitted comments in writing to be included as part of the record. Please note, the names are listed in alphabetical order by last name.

1. Mr. Paul Burke
2. Ms. Eleanor Finn
3. Dr. James Gibson
4. Mr. Jeffrey Gustafson

5. Ms. Mary Hamilton
6. Ms. Cheryl Keyrouze
7. Mr. Matt Knott
8. Mr. R. Latterell
9. Ms. Susanne Lawton
10. Mr. Andrew Lee
11. Ms. Ronda Lehman
12. Mr. Robert Linde
13. Ms. Suzanne Malesic
14. Ms. Cricket Morgan
15. Dr. Swami Nathan
16. Ms. Pam Parziale
17. Ms. Susan Pearce
18. Mr. Bernard Simmons
19. Ms. Ellen Smith
20. Ms. Ruth Taylor
21. Ms. Robin Huyett Thomas
22. Dr. Karan Townsend
23. Ms. Cathy Vance
24. Ms. Jane Wagner and Mr. William Walton

Comments which were submitted in writing are attached. The attached comments matrix provides an overview of the written comments received on or before 5:00 PM on Monday, July 28th as well as the oral comments received during the Public Hearing.* To listen to the oral comments provided during the public hearing, please visit the Departments of Planning and Zoning Webpage and click on the archived meetings link. You may also request a copy of the recording from the Departments of Planning and Zoning.

Mr. Manuel motioned to adjourn the meeting at 8:35 PM. Mr. Fisher seconded the motion, which carried unanimously.

These minutes were prepared by Alexandra Beaulieu, Office/Project Manager.

*For the purpose of the August 12, 2014 Agenda Packet, the comments matrix and all comments submitted in writing may be found under Agenda Item #7.

This information is
Tab # 4 of your binder

**PROPOSED AMENDMENTS TO THE ZONING ORDINANCE
RELATED TO MASS EVENTS (ZTA 14-02)**

DELETE THE FOLLOWING SECTIONS:

Section 2.2 Terms Defined

~~Seasonal Use — A use that is carried on for not more than a single three day consecutive period in each of the four solar seasons.~~

~~**Section 9.8 Seasonal Uses^{5,7}**~~

~~Seasonal uses must be considered by the Board of Zoning Appeals pursuant to a Public Hearing. Newspaper notification requirements of Section 3.4A.3.b apply. Seasonal uses cannot be approved for longer than one year at a time.^{17,21,}~~

ADD THE FOLLOWING SECTIONS:

Section 2.2 Terms Defined

Mass Event Any outdoor gathering of more than 1000 people on any parcel; regardless of the length of time or type of activity. A Mass Event may be permitted to occur in the Rural Zoning District or any commercial zoning district and is prohibited on a property in any residential zoning district.

Section 8.16 Mass Event Regulations

A Mass Event is any outdoor gathering of more than 1000 people on any parcel; regardless of the length of time or type of activity. Such event shall be permitted to occur in the Rural Zoning District or any Commercial Zoning District, provided that it processes according to the following requirements:

- A. Approval of all Mass Events shall require the submission of an application and Public Hearing before the Board of Zoning Appeals, in accordance with the following criteria:
 - 1. Each Mass Event must be the subject of separate application and Public Hearing.
 - 2. Any application must be submitted by and with the original signature of all persons or entities with ownership interest in the parcel on which the event is proposed.
 - 3. Each Mass Event application shall require a Public Hearing before the Board of Zoning Appeals at least 180 days in advance of the planned event. The application fee for said hearing shall be based on the projected number of attendees and whether participants may spend the night at the event:

a. 1,000 – 2,000 attendees	\$200
b. 2,000 – 5,000 attendees	\$300
c. 5,000 – 10,000 attendees	\$400
d. Over 10,000 attendees	\$500
 - 4. In addition to the application fee for the Board of Zoning Appeals hearing, the applicant for any Mass Event must post a Letter of Credit (LOC) or Cash-in-Escrow Bond, payable to the Jefferson County Commission, from a bank or financial institution within a 150 mile radius of Charles Town, WV, to cover any unexpected costs to the County related to the Mass Event, based on the sliding scale below. Said LOC or Cash Bond shall be posted after

approval by the Board of Zoning Appeals, but at least 45 days in advance of the event and shall be submitted as an additional condition of the issuance of a zoning certificate.

- | | |
|---------------------------------|--------------|
| a. 1,000 – 2,000 attendees/day | \$2,000/day |
| b. 2,000 – 5,000 attendees/day | \$5,000/day |
| c. 5,000 – 10,000 attendees/day | \$10,000/day |
| d. Over 10,000 attendees/day | \$15,000/day |

The applicant shall be required to meet with County staff, including representatives of legal, finance, planning, zoning and the agencies referenced in Subsection 6 below, within 60 days of the close of the event to discuss any issues or concerns with the event and to determine if there were any unexpected costs to the County. Each agency referenced in Subsection 6 and any other County or Regional agency which incurred costs related to the Mass Event shall provide a full accounting of costs incurred and a letter of release stating that all of their costs had been reimbursed by the applicant, which shall be provided at the 60-day meeting. Any unexpected costs to the County related to the Mass Event which were not paid by the applicant shall be chargeable against the bond required to be posted herein. After 90 days, the applicant may request the return of any remaining value to the Letter of Credit (LOC) or Cash Bond, which shall require action of the County Commission.

5. The Public Hearing must comply with notice requirements of the Zoning Ordinance. In addition, the applicant must send written notice and a copy of the application first class mail postage pre-paid to all adjoining land owners and all land owners within 1000 feet with land fronting on any proposed access route.
6. The following supplemental site preparedness information shall be addressed and shall accompany the application prior to the Board of Zoning Appeals Public Hearing:
 - a. Applicant for Mass Event must consult with local law enforcement, EMS/Fire, 911 agencies, a licensed garbage removal company, and a licensed towing company. The applicant shall develop a written agreement with and a contract to cover all costs of said agencies which satisfy their public safety and clean up or maintenance concerns. Such written proof of said agreements and each signed contract shall be submitted with the application for consideration at the Public Hearing required herein and, again, prior to issuance of a Zoning Certificate if the hearing is greater than 270 days prior to the event.
 - b. Applicant for the Mass Event must have and submit with the application written approval from the County Health Department for the provision of adequate potable water and proper sanitation facilities for the event. Applicant will also contact the WV Division of Highways to inform them of the proposed temporary event/use and discuss any traffic control and entrance concerns they might have with the proposed temporary activity. Applicant shall submit a signed letter of agreement from both the County Health Department and the WV Division Of Highways with the application for consideration at the Public Hearing required herein and, again, prior to issuance of Zoning Certificate if the hearing is greater than 270 days prior to the event.
 - c. The applicant shall provide written proof of appropriate general commercial liability insurance coverage which specifically covers the Mass Event based on the following sliding scale:

i. 1,000 – 2,000 attendees/day	\$500,000
ii. 2,000 – 5,000 attendees/day	\$750,000
iii. 5,000 – 10,000 attendees/day	\$1,000,000
iv. Over 10,000 attendees/day	\$2,000,000

The Board of Zoning Appeals may take into consideration any past Mass Event on the same parcel by the same applicant in considering whether to grant the application and/or additional conditions or restrictions placed upon the event.

7. If approved by the Board of Zoning Appeals, in addition to all other permits and agreements required, the applicant must also submit a Concept Plan in accordance with the requirements found below, which shall be administratively reviewed and approved.
 8. During the event, any violation of the requirements of this section of the Ordinance and/or any violation of additional terms and conditions set by the Board of Zoning Appeals will result in imposition of a fee equal to the additional Event Fee for every hour in which a violation occurs for each restriction that is violated. In addition, the County may seek other legal and equitable relief.
- B. If approved by the Board of Zoning Appeals, in addition to all other permits and agreements required, the applicant shall submit a Concept Plan, in accordance with the Minor Site Plan Process, for administrative review and approval, and in accordance with the requirements found below:
1. The Concept Plan shall be to scale; on a 24”x36” sheet; showing appropriate areas for parking, performance areas, bathrooms, food, concessions, public entrance, separate emergency entrance, area for on-site stacking of vehicles for admissions processing, garbage collection area, location of performance lighting and amplification, and any other information required by planning or engineering staff at the Public Hearing at least 120 days before the event. The Concept Plan shall also show all structures located on neighboring properties with 500 feet of the property upon which the Mass Event is proposed to occur.
 2. Staff will review the application and Concept Plan for completeness within 10 days of receipt.
 3. There will be a 30 day period for staff to review the application and the Concept Plan once the application is deemed complete. Staff shall approve any application and Concept Plan that meet the requirements of all applicable laws, ordinances and regulations and shall reject any application that fails to meet the requirements of all applicable laws, ordinances and regulations.
 4. A Mass Event shall meet the following site requirements and such requirements will be depicted on the Concept Plan:
 - a. A setback of 500 feet from the property line is required for any performance area;
 - b. A setback of 250 feet from the property line is required for any area in which camping is permitted;
 - c. A setback of 250 feet from the property line is required for all dumpsters and trash collection areas;

- d. A setback of 50 feet from the property line is required for all parking areas, provided that all parking areas meet a minimum distance requirement of 250' from any structures on adjoin properties; and
 - e. A setback of 250 feet from the property line is required for any alcohol, food, or other sales or concessions.
 - f. Any variance from these requirements shall be included in the Mass Event Application and shall process a Variance application which shall be presented to the Board of Zoning Appeals for their approval.
5. A Mass Event is subject to the following conditions and restrictions and such notes shall be placed on the Concept Plan:
- a. No outdoor amplified performances after 3 a.m. or before 10 a.m. (amplified announcements are permitted).
 - b. No outdoor performance lighting after 3 a.m. or before 10 a.m.
 - c. All sale of alcohol shall be regulated by the West Virginia Alcohol Beverage Control (ABC) Administration.
 - d. No Mass Event may last more than four days, including attendee arrival and departure dates. Only one Mass Event may occur per year on any given parcel or a portion of any given parcel.
 - e. All lighting and all sound shall be aligned so as to minimize impact on nearby residents and shall conform to the requirements of Section 8.9 of the Jefferson County Zoning and Land Development Ordinance.
 - f. Mass Event site shall provide ample potable water supply and proper sanitation facilities.
 - g. All trash shall be removed daily.
 - h. Any variation from these requirements shall be included in the Mass Event Application which is presented to the Board of Zoning Appeals for their approval.
6. Upon approval of the Mass Event by the Board of Zoning Appeals and administrative approval of the Concept Plan, an application for a Zoning Certificate, signed by the applicant and the landowner(s), shall be submitted a minimum of 60 days prior to the Mass Event and all LOC or Bond documents as well as proof of liability insurance shall be submitted with the Zoning Certificate application. The Zoning Certificate for a Mass Event shall be reviewed and issued within 30 days of submission of a complete application.

RECEIVED

AUG 05 2014

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

HAND-DELIVERED 8/5/14

August 5, 2014

Jefferson County Planning Commission
Charles Town, WV

Re: Proposed Amendments to the Zoning Ordinance (ZTA 14-02)
Related to Mass Events

Dear President Stolipher and Members of the Commission:

This is in reference to the above draft ordinance and the public hearing scheduled for August 12, 2014. Regrettably, I am going to be unable to attend. Therefore, I submit the following comments and concerns for your consideration.

The proposed ordinance has many positive aspects and I applaud the Planning Commission for its diligence and thoughtfulness in this effort. However, there are some aspects of the proposal that are troubling as follows:

1. The threshold for the definition of a mass event should be any event with greater than 300 people. My recollection is that a small gathering is currently defined as 300 people or less.

2. The bond amounts in section 4 are grossly insufficient to cover the county's costs for an event such as the "All Good" festival with an attendance of 30 to 50 thousand people, drug dealers, dispensing of alcohol, etc., based on Preston County's experience with that event. The bond amounts should be as follows:

a. 300-1,000 attendees/day	\$3,000.00/day
b. 1,000-2,000 attendees/day	\$7,500.00/day
c. 2,000-5,000 attendees/day	\$15,000.00/day
d. 5,000-10,000 attendees/day	\$20,000.00/day
e. Over 10,000 attendees/day	\$35,000.00/day

Also, the assumption that event organizers would meet with county officials to settle accounts 60 days after the event, and do so without negotiation or litigation, is naive at best. The county needs to get all of its costs covered UP FRONT and refund any unused balance, rather than have to chase event organizers for reimbursement.

3. The amounts of liability insurance are wholly insufficient to cover potential liability for injury or death (as has happened at the All Good festival) and, for aggregate limits policies, should be:

Planning Commission Letter - page 2

- | | |
|-------------------------------|-----------------|
| a. 300-1,000 attendees/day | \$1,000,000.00 |
| b. 1,000-2,000 attendees/day | \$2,000,000.00 |
| c. 2,000-5,000 attendees/day | \$5,000,000.00 |
| d. 5,000-10,000 attendees/day | \$10,000,000.00 |
| e. Over 10,000 attendees/day | \$20,000,000.00 |

4. The Concept Plan should be required to be submitted with the application and not subject solely to “administrative approval”. The Concept Plan is an essential element for the public to review prior to a public hearing. Without the benefit of this document prior to the public hearing, the public’s ability to provide meaningful input is unduly restricted. Further, a Concept Plan is probably needed to obtain at least some of the approvals required to be submitted with the application, so there is no need to limit the public’s access to it prior to the hearing.

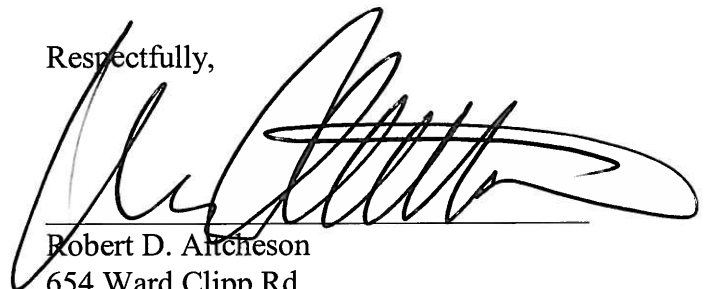
5. There is no mention of surface disturbance and storm water management. If there are going to be internal roads or any other grading at the site, storm water management issues must be addressed.

6. It is inconceivable to me that allowing amplified performances and outdoor lighting until 3 AM would be deemed protective of county residents. While Jefferson County is still largely rural, there are virtually no areas of the county without residential dwellings. Amplified performances and lighting should be limited to no later than 11 PM and to no earlier than 10 AM.

7. Mass events should be no longer than three, not four, days and no variances should be allowed.

Thank you for your consideration.

Respectfully,



Robert D. Ancheson
654 Ward Clipp Rd.
Charles Town, WV 25414
P.O. Box 188
Rippon, WV 25441
(304) 725-7639

cc: Steve Groh
Assistant Prosecuting Attorney

August 6, 2014

Dear Jefferson County Planning Commission,

As a landowner in Jefferson County, West Virginia, I am encouraged that the Planning Commission has begun the process to clearly define the terms and conditions of mass gatherings in Jefferson County. The basic idea of our zoning ordinance seems to be that parts of the county are dedicated to commercial or industrial activities while other areas are for rural agricultural uses.

I suggest the correct place for mass gatherings is in places zoned for such commercial uses with appropriate highway access, public water, public sewer and other utility services. Allowing mass gatherings of tens of thousands of people in areas zoned rural/agriculture often with two-lane, unmarked roads, no public water source, no public sewer services, poor access for emergency services and attendant crime, drug, alcohol and law enforcement problems is inconsistent with the Comprehensive Plan for Jefferson County and the Zoning Ordinance. It is also inconsistent with and may jeopardize farm tax treatment for property owners whose farms are involved in commercial events involving mass gatherings.

Section 8.16 a. 2. is a section I support. "Any application must be submitted by and with the original signature of all persons or entities with ownership interest in the parcel on which the event is proposed."

Conversely, I have issues with some of the other proposed amendments.

Based on possibility of additional costs incurred by the county, the Letter of Credit and/or Bond limits are inadequate.

Also the General Commercial Liability Insurance is too low in light of the potential risks, especially with events involving alcohol and potential drug use. A mass gathering in Preston County, West Virginia resulted in numerous arrests for drug, alcohol and other offenses as well as the unnecessary death of one person and injury to several others. Lawsuits were filed in those cases, as I understand it. There is some risk of claims against the County if similar events occurred here. I am sure families of the person who was killed and those who were injured would tell us that the presence of liability insurance was little comfort for their enormous losses.

The Board of Zoning staff should not be put in position of responsibility and potential liability for determining and approving a Concept Plan on Mass Gatherings in areas which are, by definition, unsuitable for such events.

As a former 25 year resident of Jefferson County, I see no need to allow amplified or lighted performances past 11:59 p.m.

In closing, mass gatherings in Jefferson County should occur only in commercial zoned districts. Examples of facilities designed for large mass gatherings would be Charles Town Races, Shepherd University's Butcher Center and area football stadiums.

I am attaching a letter written by Preston County Sheriff Dallas D. Wolf III that has been admitted as part of the public record December 5, 2013.

Best regards,

Joyce Rawn,

Owner/Manager, Stiles Family Partnership # 3 LLP

1202 W Main St

Sargent, NE 68874

CC: Steve Groh

Lauren Crowther

Dear Mr. Aitcheson,

November 25, 2013

Shortly after I took office as the Preston County Sheriff in January of 2009, plans were to actively provide a police presence at the "All Good Music Festival" located near Masontown, West Virginia. This event had been located in Preston County for several years and recently, brought in over 30,000 visitors from all around the United States. This actually doubled the county's population for nearly four days. Problems with having this very large event had never been properly addressed by law enforcement. During my first year as Sheriff, the Preston County Sheriff's Department worked diligently with Mr. Tim Walther and his representatives to make this event as safe and lawful as possible for the citizens of Preston County as well as for those attending the festival.

Prior to the 2009 "All Good Music Festival", it was agreed that Mr. Walther would continue to provide security personnel to manage the crowd related to the All Good Festival patrons inside the grounds and near the gates. The Preston County Sheriff's Department would provide non-uniformed personnel inside the festival grounds and uniformed officers would patrol the routes leading to the festival from the Masontown area. Mr. Walther agreed to provide a secure area on the festival grounds for continuous police activities. This worked very well as everyone was dedicated to making this event as safe and lawful as possible. After our presence during 2009, it was determined more police officers would be required to address the many problems seen inside the grounds as well as those seen outside.

During the 2010 "All Good Music Festival" the number of police officers were increased and special details were developed to address the problems seen during 2009. Mr. Walther continued his support by providing the secure area for discrete police operations. These operations consisted mainly of addressing the prevention of the sale of narcotics and the many illegal drugs observed the year before.

The Preston County Commission passed a "Mass Gathering Ordinance" to assist with the financial needs of Preston County. During 2011, the funds collected from the "All Good Music Festival" relating to this ordinance, secured much needed funds to assist with hiring more police officers and equipment needed to manage the large number of arrests associated with this event.

The 2011 "All Good Music Festival" was the last event in Preston County. During this event, the Preston County Sheriff's Department hired over one hundred (100) police officers from over ten (10) outside police agencies throughout the State of West Virginia. Additionally, nearly twenty (20) undercover drug officers associated with the West Virginia State Police Bureau of Criminal Investigations as well as other local drug task force members assisted with our police efforts. Many State Police, Sheriffs Department and City Police

RECEIVED

DEC 05 2013

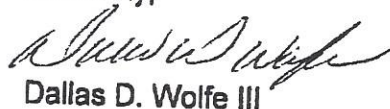
JEFFERSON COUNTY PLANNING,
ZONING & ENGINEERING

Department K-9 teams were also employed during the event to assist with the drug problem observed at prior events. The Preston County Sheriff's Department also purchased a large bus to assist with the transportation of the many individuals that were arrested and transported to the Magistrate for arraignment. Additional officers and police vehicles were required to keep up with the many transports throughout the event to supplement the efforts of the bus and drivers.

During the 2011 "All Good Music Festival", our officers were able to make over 75 felony drug arrests and more than 200 drug and traffic citations were issued. This festival brought in a variety of individuals from around the country along with an assortment of illicit drugs. Due to the "open air drug sales mentality" inside the festival grounds, more officers could have been employed and many more drug arrests could have been made. At one point, our investigative team decided our legal system in Preston County was becoming saturated and it would be unable to manage if we continued.

In this letter, I am representing my observations and have provided as many facts as possible. Mr. Walther and his staff continued to support law enforcement efforts to suppress the drug activity and he certainly did not represent to me he condoned the drug activity of the patrons of this festival. It was understood by me, the "All Good Music Festival" attracts certain types of people and individual communities should make their own decisions as to what is allowed in their respective areas.

Sincerely,



Dallas D. Wolfe III

This information is
Tab # 5 of your binder

STAFF REPORT

Jefferson County Planning Commission Meeting

August 12, 2014

	<ul style="list-style-type: none">○ February 25, 2003 – PC File #02-22○ April 9, 2002 – PC File #01-40○ April 25, 2000 – PC File #00-07 <p><i>(continued on next page)</i></p> <ul style="list-style-type: none">● August 6, 1997 – Staff Review Meeting for Preliminary Plat.● September 24, 1996 – CIS accepted by the Planning Commission.● September 20, 1996 – CIS Staff Review Meeting Held.● September 16, 1996 – CUP issued.
PROPOSED REQUEST	Variance from Article 6, Section 6.3 and Article 8 Section 8.1(d) of the 1979 Subdivision Ordinance.

Applicants Request

Cambridge is located on the south side of Flowing Acres Road and east of Flowing Springs Road. Since this subdivision started before the 2008 Subdivision Regulations were adopted, the subdivision is being reviewed under the 1979 Subdivision Regulations. The applicant is seeking a variance from Section 6.3 and 8.1 (d) of the 1979 Subdivision Ordinance for a permanent extension of time from processing every two years. In the application, the applicant states that Section 6.3 and 8.1 (d) of the 1979 Subdivision Ordinance may not apply considering the uniqueness of this development. However, since this development started processing Final Plats in the early 2000's, the project has been subject to processing every two years.

Included in the definition of a "Subdivision" in the 1979 Subdivision Ordinance are three types of subdivisions, which includes the following: "Condominium subdivision consisting of two or more building sites (whether vertical or horizontal) on a single tract." This definition would have been applied to the Cambridge Manufactured Home Development.

Staffs' Analysis

This staff report only explains how Cambridge is unique in its development pattern in relation to other Jefferson County residential developments that have fee simple lots and structures permanently affixed on those fee simple lots. This request results in the need for a policy discussion and decision of the Planning Commission regarding a perpetual extension of time from meeting the processing requirements.

Discussion of the "lots"

There are four unique aspects related to the "lots" within Cambridge that separate their "lots" from more traditional fee simple "lots" found in most subdivisions. These distinctive aspects will be discussed together and are outlined below. Those aspects are:

1. Final Plats are recorded, but no fee simple lots created
2. No individual lot owners
3. Lots are rented
4. One single owner of the entire property

STAFF REPORT

Jefferson County Planning Commission Meeting

August 12, 2014

First, the Cambridge Final Plats are recorded, but no fee simple lots are created. While the “lots” at Cambridge are processed as Final Plats and are recorded at the Courthouse, the “lots” shown on the Final Plat do not constitute fee simple “lots” in the same context of a traditional subdivision. Second, there are no individual lot owners. The “lots” are not legally separate units of land for the purpose of purchase by any manufactured/mobile home owners or for anyone else. Third, the lots are rented. It is Staffs understanding that these “lots” are created as a requirement of the lending institution to ascertain that there is a number of rentable “lots/pads”, as stated, in order to establish a value of the site and rental income. Fourth, the entire property is owned by a single owner. As such, all “lots” are only rented by the manufactured/mobile home owner. While the preliminary plat depicts 151 “lots”, the whole development is retained by one legal lot owner.

Mobile Nature of the Development

This development consists of manufactured/mobile homes that are not designed to be permanent fixtures of the property and can be removed from the “lots.” The mobile homes are removable resulting in the possibility of vacancy of a “lot” and the creation of new inventory. This is not common in other developments where the structure is permanently affixed to the ground and there is no “reopening or vacating” of lots in any practical manner. The concept of “full occupancy” in this type of development is much different than structures permanently affixed to the ground. While full build-out of a traditional subdivision occurs when the last home is constructed, in a mobile home park, the mobile structures can be removed with greater ease resulting in a much slower, if ever “full build-out” of the development.

Preliminary Plat for Cambridge Manufactured Home Park

The Cambridge Manufactured Home Development is different from other Jefferson County residential developments because the preliminary plat has been completed for the entire project. The preliminary plat includes all the detailed engineering and construction documents for a development. There are proposed to be 151 manufactured mobile home sites in this development. Nearly all other developments do not provide a preliminary plat for the whole site at once. Usually, the preliminary plats are completed in phases.

Engineering and Bonding Requirements

It is important to note that the applicant is not requesting to be exempt from the site engineering standards or bonding requirements when future phases are initiated.

Applicants Request May Be Premature at This Time

The applicant is currently under the time extensions first created by SB 595 and the subsequent local extensions that have been approved by County Commission. The deadline for processing the next phase of activity for this development is July 1, 2015. The County Commission is currently considering a proposal to extend the July 1, 2015 deadline to July 1, 2017. The applicant would benefit under any proposed extension of time provided by the County Commission. It may be more reasonable to consider this perpetual extension when there are no further blanket extensions granted by the County Commission. If the County Commission does grant another extension, some of the concerns that have been expressed by the applicant may be alleviated at the time.



JEFFERSON COUNTY, WEST VIRGINIA

Departments of Planning and Zoning

116 East Washington Street, 2nd Floor, P.O. Box 338

Charles Town, WV 25414

File Number: _____

Staff Initials: _____

Fees Paid: \$ _____

www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html

Email planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

Email zoning@jeffersoncountywv.org

Fax: (304) 728-8126

Subdivision Ordinance Variance Request

To be used in accordance with the 1979 Subdivision Ordinance - 8/94 Salvage Yard Ordinance

Please note variances to the Subdivision Ordinance must comply with Article 17 of the Ordinance. Sketch on a separate sheet of paper the shape and location of the lot. Show the location of the intended construction or land use indicating building setbacks, size and height. Identify existing buildings, structures or land uses on the property. Sign and date sketch. Provide a vicinity map.

I/We request a variance from the provisions of the 1979 Jefferson County Subdivision Ordinance

Property owner information

Name of Property Owner: Cambridge LLC

Mailing Address: 11 Manchester Drive

City: Charles Town State: WV Zip Code: 25414

Phone Number: 304/725-4955 Email: myerscw2@comcast.net

Applicant contact information

Applicant Name: Same as Onwer (Curtis Myers and Fred Young (Contacts))

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email: _____

Applicant Representatives

Name of Registered Engineer(s) or Surveyor(s): Dirk Stansbury, P.E.

Mailing Address of Engineer(s) or Surveyor(s): 3 Sue Court Suite B

City: Martinsburg State: WV Zip Code: 25405

Phone Number: 304/671-4766 Email: stansbury.pe@gmail.com

Physical property details

Physical Property Address: Cambridge Manufactured Home Park

City: Charles Town State: WV Zip Code: 25414

Tax District: Charles Town Map No: 8 Parcel No: 32.13

Parcel Size: 27 Acres Deed Book: 10.68 Page No: 119

Zoning District:	Rural (R-A)	Residential Growth (R-G)	Industrial Commerical (I-C)	Residential-Light Industrial-Commercial (R-L-C)	Village (V)
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

JC Sub ord.

Section 6.2 Forms and Fees

Application forms and instructional material regarding the subdivision review process shall be prepared by the Planning Commission and shall be made available to the public. Subdivision processing fees shall be set by the County Commission of Jefferson County, upon recommendation of the Planning Commission, as may be necessary from time to time in order to defray the cost of administering this Ordinance.

Section 6.3 Dates

All stages of the subdivision review process shall be conducted according to a uniform schedule of dates, times and places as determined by the Planning Commission and subject to change only by formal action of the Planning Commission. Staff conferences shall be held on the first and third Friday of each month as necessary. Planning Commission review sessions shall be held during regular Planning Commission meetings on the second and fourth Tuesdays of each month.

^ Routine processing of a subdivision shall take no longer than four (4) calendar months from the date of the Pre-application Conference, provided required materials are submitted on time. Longer processing times may be necessary if a developer is unable to submit required materials (certificates, plats, permits, maps) within the four (4) month period. If, after twenty-four (24) months from the date of the Pre-application Conference, a subdivision proposal has not been advanced through the stage of a Final Plat Hearing, the application and file for the subdivision will be automatically closed. The continued processing of sectional final plats shall be permitted provided no more than twenty-four (24) months lapse between approvals. Re-processing of the same subdivision proposal shall be required to begin, as a new project, with the Pre-application Conference.

24. Curve data--radius, delta, arc, tangent, chord and chord bearing.

25. Descriptive lines inside the tract boundary:

- + Tract boundary - heavy dashed and two dotted lines
- + Lot boundaries - medium solid lines
- + Rights-of-way - heavy solid lines
- + Restriction lines - medium dashed lines
- + Easements and other reserved areas - medium dotted lines

26. Descriptive lines outside the tract boundary:

- + Property lines of adjacent tracts - medium dashed and two dotted lines
- + Lot boundaries - light solid lines
- + Rights-of-way - medium solid lines
- + Restriction lines - light dashed lines
- + Easements and other reserved areas - light dotted lines

(NOTE: Descriptive lines outside the tract boundary are useful for purposes of tract location and orientation. However, such outside lines are not within the scope of the subdivision being platted and should not be given dimensions which might confuse existing descriptions on record).

27. An estimate of the costs for completing all improvements shown on the preliminary plat prepared and certified by the subdivider's surveyor or engineer.

* 28. Signature block for the signature of the Director of Planning and Zoning and the affixing of the Planning Commission's seal.

* d. Final Plat Documents shall be submitted, sealed, and recorded within ninety (90) days after the Planning and Zoning Commission's approval. All bonding and securities for such bonding for 115% of all improvements shall be submitted and approved during this time period. The documents to be submitted shall include the following:

1. A mylar or linen copy of the Final Plat suitable for recordation and acceptable to the Clerk of Jefferson County.
2. A sepia reproduction of the Final Plat.
3. Three paper copies of the Final Plat.

**Cambridge Manufactured Home Park
Request for Planning Commission Determination/Variance
Jefferson County Subdivision Ordinance (1979 Version)
Article 6, Section 6.3
Article 8, Section 8.1(d)
July 22, 2014**

Brief Description of the Requests

The Applicant would like a determination of whether Article 6, Section 6.3 and Article 8, Section 8.1(d) apply to the Cambridge Manufactured Home Park (Cambridge). If so, the Applicant would respectfully request a modification or variance from these provisions.

Cambridge is a 151 site Manufactured Home Park (commonly called a Mobile Home Park). This development processed entirely through the Jefferson County Zoning Ordinance and the Jefferson County Subdivision Ordinance in effect at the time of processing. Cambridge was the only such Mobile Home Park that processed entirely under the Jefferson County Subdivision Ordinance. Cambridge processed a Conditional Use Permit, a Community Impact Statement and a Preliminary Plat (all engineering and construction documents) for the entire 151 units (179 sites were approved by zoning CUP).

Cambridge went on to process Final Plats in sections. These sections started out as larger sections until Impact Fees and Sewer Capital Improvement Fees were adopted. There was a great need for this type of affordable housing including doublewide and single wide manufactured housing units. However, when the impact fees and sewer fees surpassed \$20,000 per unit, it became cost prohibitive for lenders and owners to finance units on these sites. Even though the desire for the affordable housing was great, the feasibility of the units was next to impossible. Consider seeking a loan for a \$30,000 single wide PLUS a \$13,000 Impact Fee and an additional \$7,500 Sewer CIF. How many lenders would have approved that loan?

During this time (based on the interpretations of those ordinance sections), the current owner still had to continue to process Final Plats and bond the sections in order to keep the Planning Commission File from closing. This is because Section 6.3 requires that sections of a subdivision have to continue to be processed and recorded every 24 months to keep the project active. Furthermore, Section 8.1(d) requires approved subdivisions to be bonded and recorded within 90 days of each sections approval. In order to continue to process these sections and bond to record them to keep the file active, the Applicant has continued to process two lot sections to keep costs at a minimum since no one could afford the Impact Fees and Sewer Fees. However, each two lot section cost the applicant in surveying fees and bonding fees. Each two lot section has been bonded at between \$30,000 and \$45,000. Keeping track of the sections has also become confusing with each two lot section having a different name (Phase III, Section 4; Phase III, Section 3; etc.). The Applicant can no longer continue to process two lot sections because of the carrying cost of the multiple bonds.

Although the Applicant would like to plat the rest of the development, that is just not feasible at this time. At the rate of consumption for the units, the applicant would not be able to complete the costly infrastructure to the balance of the units. Since it is now becoming cost prohibitive to process and bond 2 lot sections every two years, the Applicant is asking for relief from the Planning Commission.

Cambridge is different from a typical subdivision in many ways. As such, the Applicant does not believe that certain portions of the aforementioned ordinance sections apply to this development. Therefore, the Applicant would like a determination that insofar as Section 6.3 and 8.1(d) requires that sections of a development be processed every 24 months and 'recorded' within 90 days, Cambridge does not fall under those sections because:

1. The manufactured house sites are not taxed separately from each other (one tax bill goes to the owner of the whole property);
2. The Assessor views this as one tax parcel;
3. The individual sites cannot be sold separately;
4. The project 'lots' don't have to be recorded because they can't be sold (they are only recorded because the lending institution had to have verification that there were indeed 151 sites);
5. In this case, the Preliminary Plat functions as the Final Plat, since recorded lots are not necessary or required by the ordinance;
6. Each site can only be owned by the owner of the 27 acre parcel;
7. A deed cannot be written for the individual sites since the property cannot be sold separately;
8. Although it completely processed through the entire ordinance and engineering standards, these sites aren't lots found in a typical, 'normal' subdivision; and,
9. The fee simple ownership of the land remains vested with the unsubdivided parent parcel.

The other details that make this project atypical from a subdivision include:

1. The inventory doesn't keep going down as families move into the development because at times the previous occupants have taken their unit with them;
2. The transient nature of the units creates a much slower occupancy rate;
3. Compared to a stick built house in a regular subdivision, the high proportionate share of Impact Fees and Sewer Fees to the cost of the unit made the absorption rate almost zero. Just recently, the County made the Impact Fees more proportionate to the unit cost for affordable housing;
4. The Applicant will be able to process a larger section once some of the existing sites are absorbed; and,
5. The ordinance simply does not require that these plats get recorded. As such, the ordinance sections don't apply.

Due to the above issues, there are currently 26 available sites for manufactured homes. There are a total of 151 sites. Of these sites, there are approximately 26 vacant sites and 46 sites that remain unimproved. The entire site is approved at Preliminary Plat.

The Applicant is not attempting to be excluded from the bonding requirements, merely the time limits associated with Sections 6.3 and 8.1(d). This is the only Manufactured Home Development that has processed under the ordinance. This park has sidewalks, stormwater management and paved roads with gutters. It is the only such affordable housing development of this type in Jefferson County. The ordinance simply did not intend it to be treated as a typical subdivision other than the required engineering standards. This manufactured home park is completely maintained by the owner and applicant. This park has one of the nicest maintenance programs of all developments in Jefferson County. The grass, landscaping, buffers, sidewalks, paved road with gutters, stormwater management and common areas are very much maintained and still provides a place for one of the very few affordable housing communities in Jefferson County. Please visit the site.

The Applicant respectfully asks the Planning Commission to determine that the time elements in the two above referenced sections do not apply and that Final Plat approvals are for bonding purposes. This determination is based on the following facts: the fact that the final plats do not need to be recorded; the site is still one parcel by tax and assessor records; the community is a community always in motion; the 'sites' can only be rented; and, it is the only 'mobile home park' that processed under Article 10 of the old subdivision ordinance.

In lieu of a favorable determination for this relief, the Applicant is asking that the Planning Commission grant a waiver of these provisions to allow the file to remain open as long as it takes to finish the project. If the variance route is favored by the Commission, the four criteria for a variance are addressed in the attached documents.

**Cambridge Manufactured Home Park
Request for Planning Commission Determination/Variance
Jefferson County Subdivision Ordinance (1979 Version)
Article 6, Section 6.3
Article 8, Section 8.1(d)
July 22, 2014**

Four Criteria:

1. Explain how the request NOT contrary to the public interest:

The project already has all engineering approvals. Sewer, water, stormwater and highway approvals are all granted for the entire development. The Manufactured Home Park is already two thirds complete. There will be no effect on the public external to the project, since most of the remaining sites are internal to the development. The public within the development will benefit because the remaining roads and sidewalks will be completed if permitted to finish the development as the vacant lots are used.

2. Explain how enforcement of this Ordinance will result in unnecessary hardship:

If the Applicant has to continue to process a section of the park every two years, the file will have to close because the Applicant cannot have several open Letters of Credit for bonding purposes. This is a rental community and there is only a limited amount of borrowing authority for bonding purposes. The project simply cannot have multiple letters of credit. The Manufactured Home Park should be viewed as a complete community with roads and sidewalks completed to create a walkable community with through access. If the variance is not granted, the development will terminate without the completion of these important amenities for the community.

3. Explain how this request is NOT the result of a self-imposed hardship:

As explained in the brief description, the slowing of the development of this rental affordable housing community was caused solely by the imposition of Impact Fees and Sewer Capital Improvement Fees. While most developments in Jefferson County slowed due to the economy, an affordable housing community should have been able to sustain this downturn in economy. However, a \$20,000 to \$22,000 fee added to a \$25,000 single wide or a \$60,000 double wide made it a hardship that simply could not have been survived because of the lending institutions. The recent decrease in these fees has just made these units feasible again. Hopefully, the County does not increase or add new impact fees again to the equation.

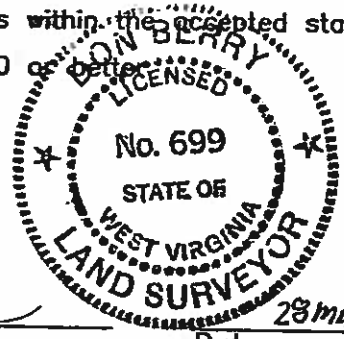
These Fees certainly were not self-imposed. It is hard for an affordable housing project to survive the fees.

4. Explain how the spirit of the ordinance will be observed and substantial justice will be done:

The intent of these provisions of the ordinance is to make sure that new lots are served by infrastructure for the new owners of the individual lots. In this case, the sites are not sold and there is only one owner of the parent parcel. The Mobile Home Park is the only park that developed under this ordinance and provides an affordable housing option that has complete subdivision amenities including stormwater management facilities, paved roads, sidewalks, lighting, etc. This development is well maintained by the owner. Substantial justice would be to allow the development to be finished, so that the sidewalks and roads are all connected. A visit to this development will show the commissioners that this is a one of a kind facility in Jefferson County and should be preserved and allowed to be finished as the vacant lots are absorbed as the market dictates.

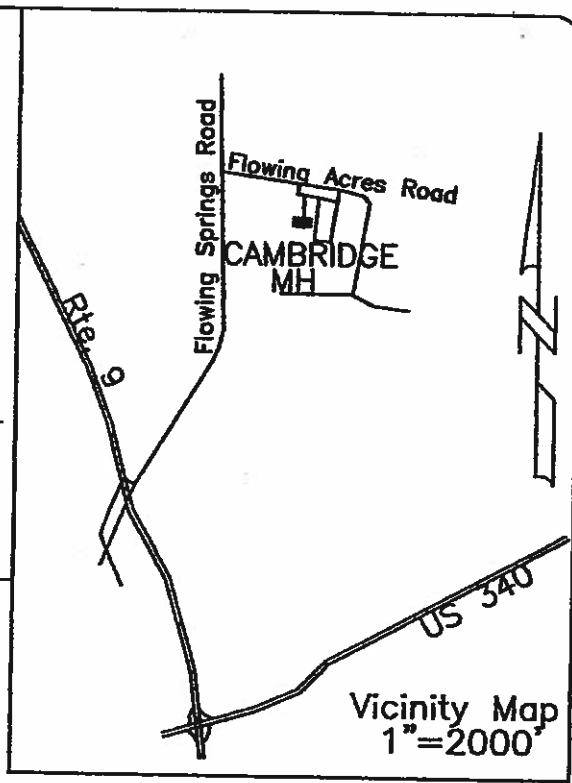
Surveyor Certificate

I certify that this survey and plat was made by me and its accuracy is within the accepted standards. Ratio of closure 1:7500



Leon Berry
Signature Date 28 MAR 12

BERRY SURVEING ASSO.
PO BOX 1090
MARTINSBURG, WV 25402
304-267-8216



OWNER/DEVELOPER
CAMBRIDGE, LLC
11 MANCHESTER DRIVE
CHARLES TOWN, WV 25414
304 725 4955

- DEMON:
- ▶ 100 MAP CT 8A P28
- ▶ 687 MAP CT 8 P 35.1
- ▶ 687 MAP CT 8 P 32
- ▶ 687 MAP CT 8 P 32.9
- ▶ 701 MAP CT 8 P 32.6
- ▶ 606 MAP CT 8 P 32.7

KRATZ
P 649
B P 32.8

WTEI
P 417
B P 33

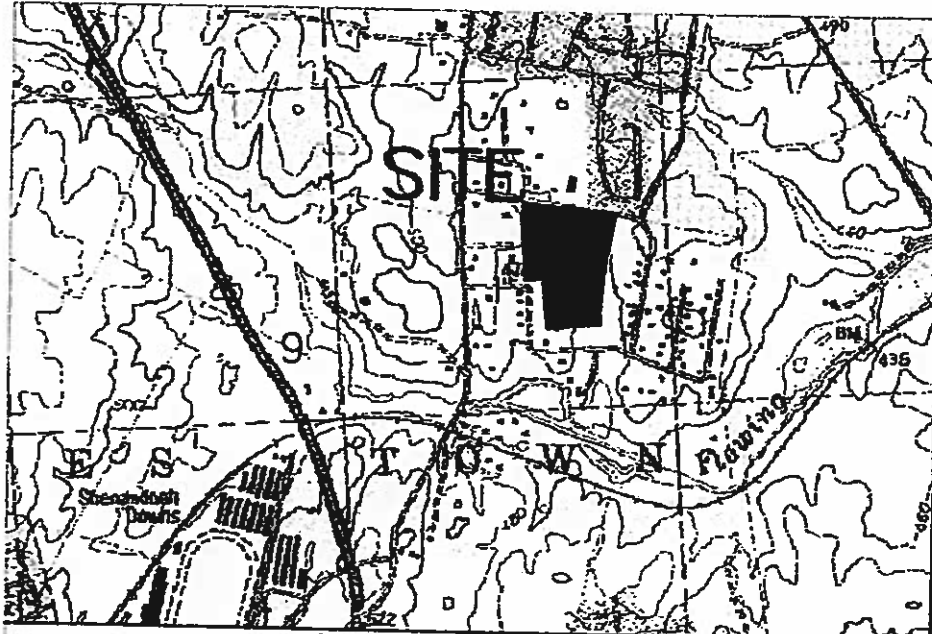
BY
P 289
3 P 27.6

SPRINGS LLC
▶ 954
3 P 32.13

MONS) WALNUT GROVE
TY HILLS
▶ 63
ID P 52

COFFEY
▶ 490
F P 120

EBERT
▶ 115
F P 121



D.A. STANSBURY ENGINEERING
3 SUE COURT SUITE B
MARTINSBURG, WV 25405
304-596-2543
COA #02465-00

DRAWN BY: da
DATE: 1-16-12
CHECKED BY: _____
DATE: _____

THIS DRAWING IS PROTECTED BY FEDERAL COPYRIGHT LAW AND IS NOT TO BE REPRODUCED OR USED FOR CONSTRUCTION WITHOUT WRITTEN AUTHORIZATION BY DIRK STANSBURY PE.

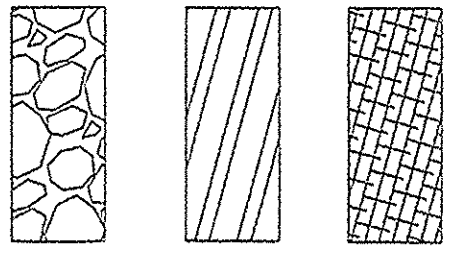
6 & 37

STATEMENT OF ACCEPTANCE

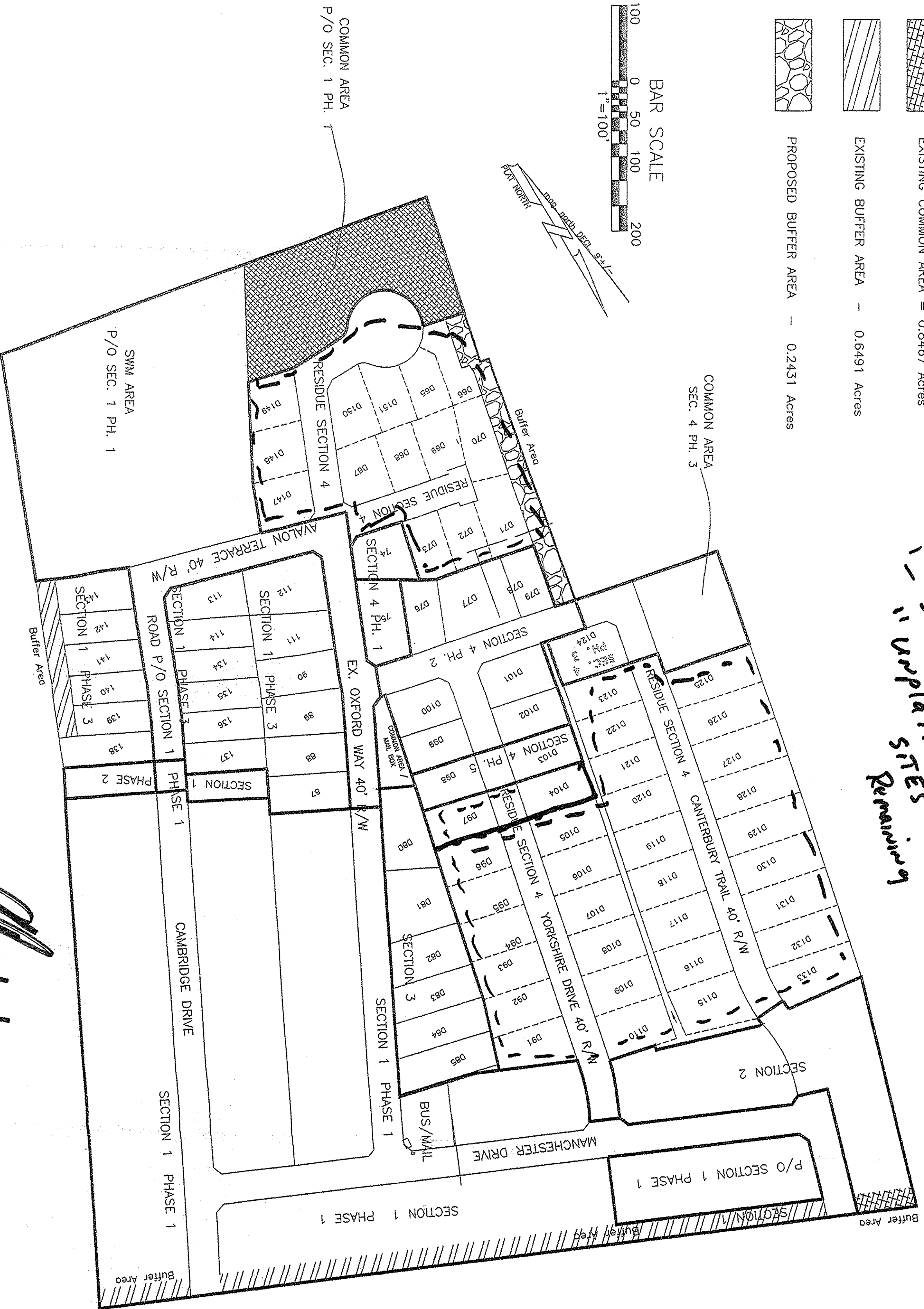
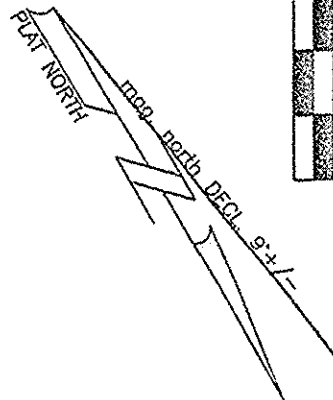
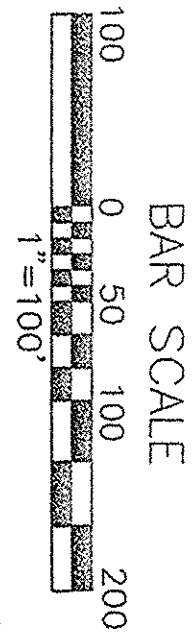
The owner/developer, CAMBRIDGE, L.L.C., in signing this plat agrees to abide by all conditions, terms, and specifications provided hereon and to complete all improvements required by preliminary plat.

Quinn Wilson
Member DATE 4-2-12

Development
D98 & D103
ISON COUNTY, W.VA.
8, PARCEL 32.13



EXISTING COMMON AREA = 0.8467 Acres
 EXISTING BUFFER AREA = 0.6491 Acres
 PROPOSED BUFFER AREA = 0.2431 Acres



Updated Sites Remaining
 Cambridge Community

Handwritten signature and date: 7/22/14

DATE: 1-16-12	REVISIONS

Total Site Plat
Cambridge M.H.D.
SECTION 4 PHASE 5 LOTS D98 & D103
 CHARLES TOWN DISTRICT JEFFERSON COUNTY, W.VA.
 REF: D.B. 922 PG. 954 TAX MAP 8, PARCEL 32.13

DRAWN BY: ds.
 DATE: 1-16-12
 CHECKED BY: _____
 DATE: _____
D.A. STANSBURY ENGINEERING
 3 SUE COURT SUITE B
 MARTINSBURG, WV 25405
 304-596-2543
 COA #02465-00

OWNER-DEVELOPER
CAMBRIDGE, LLC
 11 MANCHESTER DRIVE
 CHARLES TOWN, WV 25414
 304 725 4955

This information is
Tab # 6 of your binder

STAFF REPORT

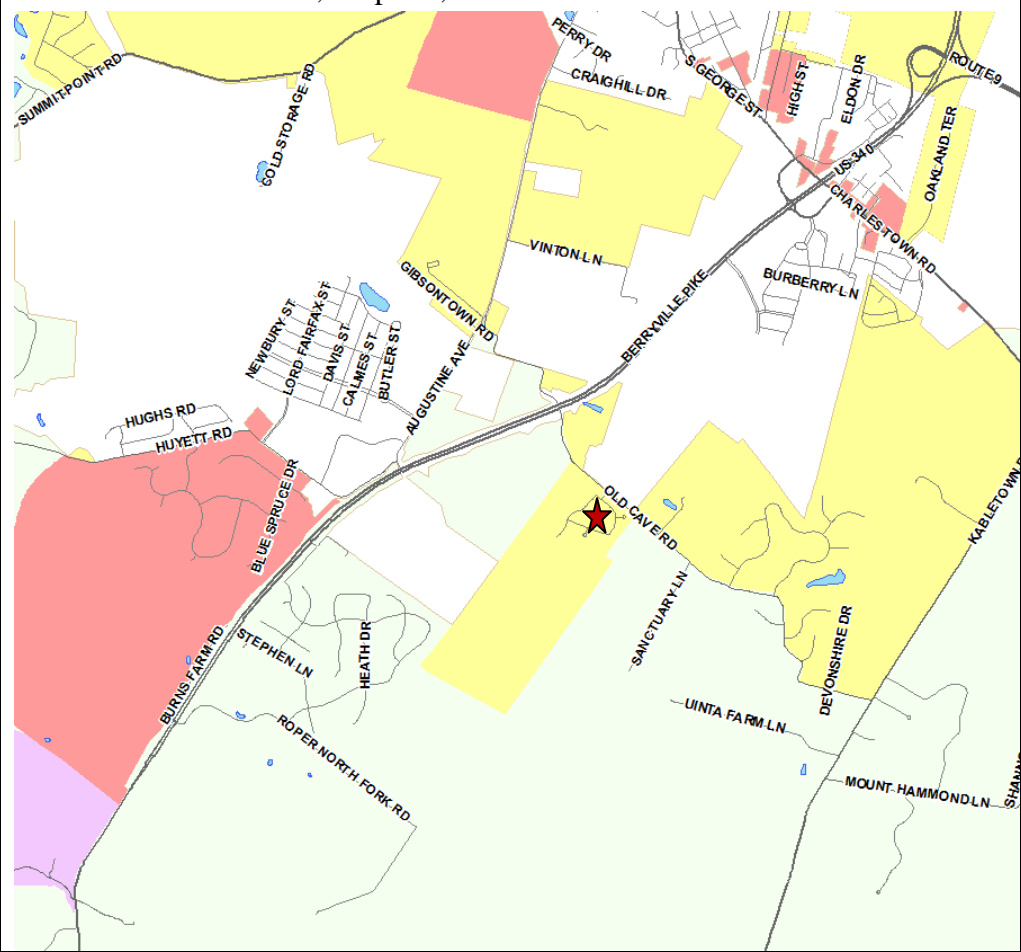
Jefferson County Planning Commission Meeting

August 12, 2014

(PCV File # 14-03).

Item #6 Request by applicant Mark E. Roper, et. al, to be represented by D.A. Stansbury Engineering for a variance from the following sections of the 1979 Subdivision Ordinance:

- Article 8, Section 8.2(a)(2) requires a second entrance for subdivisions over 50 lots.
- Section 8.2 (a)(14) requires a “full size” turnaround (cul-de-sac) in accordance with the design standards for any dead-end streets that serve over 5 lots.

OWNER:	Mark E. Roper, et. al
DEVELOPER:	Same
SURVEYOR/ENGINEER:	D.A. Stansbury Engineering
PROPERTY LOCATION:	The Property is located on the south side of Route 36 (Old Cave Road) approx. ½ mile southeast of 340 bypass
LEGAL DESCRIPTION:	District: Charles Town, Map:16 , Parcel: 11 
ZONING DISTRICT:	Zoning Map Designation: Residential Growth
SURROUNDING PROPERTIES:	Zoning Map Designation: <i>North:</i> Residential Growth and City of Charles Town <i>South:</i> Rural <i>East:</i> Rural

STAFF REPORT

Jefferson County Planning Commission Meeting

August 12, 2014

	<i>West:</i> Rural and City of Charles Town
LOT AREA:	This Final Plat 1.24 acres; Total Development 172.82 acres
DEVELOPMENT HISTORY:	<u>Cave Quarter Estates, Section C, Lots 48-51</u> <ul style="list-style-type: none">• December 14, 2004–Final Plat Approval by Planning Commission• November 3, 2004 – Preliminary Plat approved• October 1, 2004 – CIS Staff Review Meeting Held• September 21, 2004 – Preliminary Plat Subdivision Review Panel
PROPOSED REQUEST	Variance from 1979 Subdivision Regulations, Article 8, Section 8.2(a)(2), which requires a second entrance for subdivisions over 50 lots; and Section 8.2 (a)(14), which requires a “full size” turnaround (cul-de-sac) in accordance with the design standards for any dead-end streets that serve over 5 lots.

Background

Cave Quarter Estates is located on the south side of Route 36 (Old Cave Road) approximately ½ mile southeast of 340 bypass. Section C of this development (Lots 48-51) is located at the end of Edward Lane. Since Cave Quarter Estates started before the 2008 Subdivision Regulations were adopted, the subdivision is being reviewed under the 1979 Subdivision Ordinance. This phase of Cave Quarter Estates was approved, recorded and bonded in 2004. The applicant is proposing to close the bond on this phase of the development. This phase consist of 4 lots.

Applicants Request

One of the variances that the applicant is seeking is from the requirement that a second entrance be constructed and a variance to allow for the construction of a “Y” or “T” turnaround in lieu of a “full size” round cul-de-sac. The 1979 Subdivision Ordinance generally requires that once there are more than 50 lots in a development, a second entrance is required. That second entrance was required as a part of the 2004 Preliminary Plat construction documents for this phase of the development because the approval of these four (4) lots resulted in the subdivision totaling 51 lots, and the applicant, in 2004, was anticipating approval and construction of more lots in Cave Quarter Estates in future phases. Based on the remainder of the residue, it is possible that the development could eventually more than double the number of lots than those that were Final Platted as of 2004, at Full Build Out.

Regarding the second variance, the Subdivision Ordinance requires that when there are more than 5 lots on a dead-end subdivision road, that a “full size” cul-de-sac shall be installed. The applicant has approval to have 6 lots on a dead-end street (Edward Lane). The 2004 Preliminary Plat construction documents for this phase of the development creating these four (4) lots depicted the sub street terminating into a “full size” cul-de-sac, as required by the Subdivision Ordinance. For subdivision streets that terminate with less than 5 lots, the Subdivision Ordinance permits the utilization of a “Y” or “T” turnaround (Attached is a diagram showing the design of the “Y” and “T” turnaround). The applicant is requesting approval to be permitted to either install a “Y” or “T” turnaround instead of the required “full size” cul-de-sac.

STAFF REPORT

Jefferson County Planning Commission Meeting

August 12, 2014

Four Variance Criteria

The variance process in the 1979 Subdivision Ordinance is different from the waiver process outlined in the 2008 Subdivision Ordinance. In order to grant a variance the following four criteria must be met. The following describes the staff's analysis of each of the requests in accordance with the four criteria:

The request is not contrary to the public interest.

Variance for second entrance:

While a second entrance does provide additional access location in the event of an emergency or diffusion of traffic to multiple access points, at this time the current entrance is sufficient. The generally applied requirement for a second access is when there are 50 lots or more. The total number of lots in Cave Quarter Estates, including this phase, is 51 lots. The public interest would not be negatively affected if a second entrance was not installed. Further, the West Virginia Department of Highways has provided written documentation that a second entrance is not needed at this time. If the development continues to process under the new regulations, a second entrance would be required in the future.

Variance for "full size" turnaround (cul-de-sac):

A "full size" cul-de-sac does provide a more conducive and reasonable turnaround than a "Y" and "T" turnaround for a permanent dead-end street, however, as this turn around serves only six lots on this dead-end street, the option of creating a "Y" and "T" turnaround would not be contrary to the public interest.

A literal enforcement of this Ordinance will result in unnecessary hardship.

Variance for second entrance:

At this time, a need for a second entrance is not warranted and would result in an unnecessary hardship. The requirement for the additional entrance was applied since the development is one lot over standard that requires a second entrance and was anticipated to continue to develop more quickly than has happened.

Variance for "full size" turnaround (cul-de-sac):

The construction of a "full size" cul-de-sac would be a hardship at this time. Considering the development pattern in Cave Quarter Estates, this dead-end stub street would likely be extended in the future, so a temporary type dead-end would be reasonable solution. At this time the applicant is not anticipating additional phases in the near future.

STAFF REPORT

Jefferson County Planning Commission Meeting

August 12, 2014

The request is not the result of a self-imposed hardship.

Variance for second entrance:

The site has been engineered to ensure that it meets the standards of the Subdivision Ordinance for full build out. However, considering the applicant is not proposing to continue processing future phases at this time, the applicant is asking for a variance from the requirement for the second entrance at this time. The applicant has made all reasonable efforts to comply with the Subdivision Ordinance standards. Discontinuing the further development of this subdivision at this time means that the additional entrance is not necessary, unless and until the project restarts.

Variance for “full size” turnaround (cul-de-sac):

Anticipating that this stub street will be extended at some point in the future, it is more reasonable to consider an alternative cul-de-sac design. That applicant is willing to install a modified cul-de-sac which indicates an attempt to meet a standard that would suffice for the turnaround option.

The spirit of this Ordinance will be observed and substantial justice done.

Variance for second entrance and Variance for “full size” turnaround (cul-de-sac):

The following discussion applies to both variances. Both the spirit and substantial justice of the Subdivision Ordinance will not be affected if the variances are granted. As noted above, the applicant has completed all the needed site engineering for this project and is complying with those details and is requesting relief of these two requirements. The Subdivision Ordinance was written to provide a standard that developments need to meet in order to be safe, convenient and accessible. That goal has been met since there is an improved access point at the front of the development and the applicant is proposing to install either a “Y” or “T” turnaround. Further, the variances are site design elements that are being prompted in both cases by that fact that the development has one extra lot than allowed in order to meet certain site design requirements.

Recommendation

Staff recommends approval of the requested variances. The request is a variance from site design standards and the spirit of the Subdivision Ordinance is being met. The applicant has engineered the site to meet the requirements and is requesting the variances since the literal application of the requirements are not reasonable at this time. Approval of these variances is only for this phase and would need to be reexamined with the submission of any future phase, change in plan or layout. Regarding the installation of the proposed turnaround (cul-de-sac), Staff recommends that the “T” turnaround be installed. Staff support for the requested variance from the required standards of the “full-size” cul-de-sac is based on the reasonable anticipation that when additional phases are constructed in the future, that this stub street will be extended further into the development and will likely terminate into another bisecting street, not a cul-de-sac. Since the street is likely to be extended in the future, a “Y” configuration is not as practical. To ensure that residents on the temporary dead-end are aware that this street will continue further into the residue as future development occurs, staff recommends that a sign to that effect be posted as a condition of approval. Below is a list of Staff recommendations.

STAFF REPORT

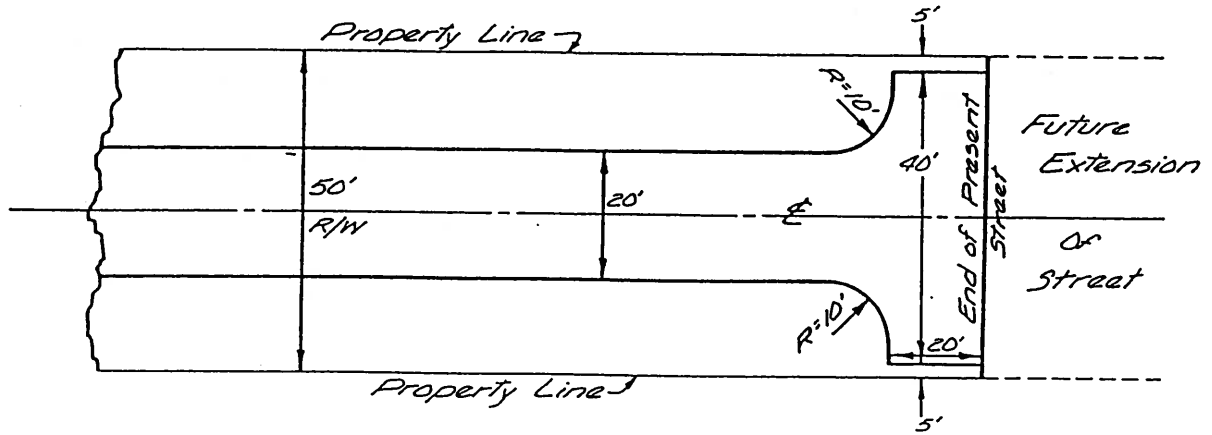
Jefferson County Planning Commission Meeting

August 12, 2014

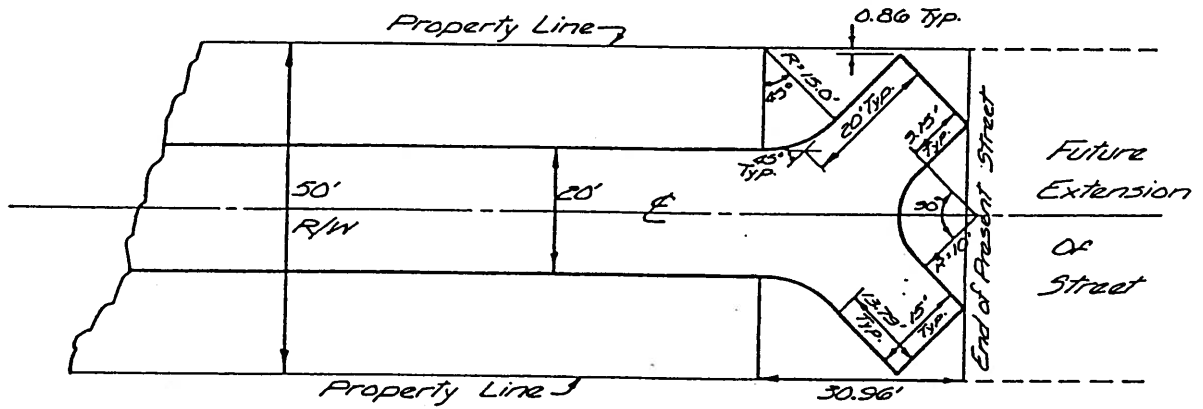
Conditions of approval

1. The requested variances apply only to this phase and would need to be reexamined with the submittal of any future phase, change in plan or layout.
2. Applicant shall install the "T" turnaround (cul-de-sac).
3. A sign stating the following shall be installed at the top of the "T" directly down the center line of the street: "Street to be extended by authority of the owner of the Residue and upon approval of the County Planning Commission". The sign shall be similar in size to a speed limit sign.

T - TURNAROUND



Y - TURNAROUND



A "T" or "Y" Turnaround shall be used in lieu of a cul-de-sac only if the street is to be extended in the future.

JEFFERSON COUNTY, WEST VIRGINIA	APPROVED: <u>May 14, 1989</u>	TEMPORARY TURNAROUND	REVISIONS:	DETAIL No.
	<i>[Signature]</i> COUNTY ENGINEER			R -04



JEFFERSON COUNTY, WEST VIRGINIA

Departments of Planning and Zoning

116 East Washington Street, 2nd Floor, P.O. Box 338

Charles Town, WV 25414

File Number: _____

Staff Initials: _____

Fees Paid: \$ _____

www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html

Email planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

Email zoning@jeffersoncountywv.org

Fax: (304) 728-8126

Subdivision Ordinance Variance Request

To be used in accordance with the 1979 Subdivision Ordinance - 8/94 Salvage Yard Ordinance

Please note variances to the Subdivision Ordinance must comply with Article 17 of the Ordinance. Sketch on a separate sheet of paper the shape and location of the lot. Show the location of the intended construction or land use indicating building setbacks, size and height. Identify existing buildings, structures or land uses on the property. Sign and date sketch. Provide a vicinity map.

I/We request a variance from the provisions of the 1979 Jefferson County Subdiviston Ordinance

Property owner information

Name of Property Owner: Mark E. Roper, et. al.
Mailing Address: 418 S. Samuel Street
City: Charles Town State: WV Zip Code: 25414
Phone Number: 304/671-5262 Email: _____

Applicant contact information

Applicant Name: Same as Onwer
Mailing Address: _____
City: _____ State: _____ Zip Code: _____
Phone Number: _____ Email: _____

Applicant Representatives

Name of Registered Engineer(s) or Surveyor(s): Dirk Stansbury, P.E.
Mailing Address of Engineer(s) or Surveyor(s): 3 Sue Court Suite B
City: Martinsburg State: WV Zip Code: 25405
Phone Number: 304/671-4766 Email: stansbury.pe@gmail.com

Physical property details

Physical Property Address: Cave Quarter Estates: South Side of Route 36 aprox 1/2 mile East of Bypass
City: Charles Town State: WV Zip Code: 25414
Tax District: Charles Town Map No: 16 Parcel No: 11
Parcel Size: 170.82 Acres Deed Book: 797 Page No: 472

Zoning District: Rural (R-A) Residential Growth (R-G) Industrial Commerical (I-C) Residential-Light Industrial-Commercial (R-L-C) Village (V)
[] [X] [] [] []

Section of Ordinance for which the variance is requested:

Article 8, Section 8.2(a).2 Article 8, Section 8.2(a)14

Please describe the nature of the variance request:

See Attached

Explain why this request is NOT contrary to the public interest:

See Attached

Explain how enforcement of this Ordinance will result in unnecessary hardship:

See Attached

Explain how this request is NOT the result of a self-imposed hardship:

See Attached

Explain how the spirit of this Ordinance will be observed and substantial justice will be done:

See Attached

Original signature is required. The information given is correct to the best of my knowledge.

W. Paul Edge 9-22-14
Signature of Property Owner Date

Signature of Property Owner Date

Approved/Denied by a vote of _____ for and _____ against this _____ day of _____, _____ (Year)

Approved Denied

Cave Quarter Estates
Section C, Lots 48-51
Request for Planning Commission Variances
Jefferson County Subdivision Ordinance (1979 Version)
Article 8, Section 8.2(a)2
Article 8; Section 8.2(a) 14
July 22, 2014

Brief Description:

The Applicant is requesting two variances for the last section that was processed for Cave Quarter Estates Subdivision. This section was processed in 2004 and is currently recorded and bonded. The Applicant's representative has met with the Staff and the DOH and they are supportive of the variance requests as presented. This development was processed under the previous subdivision ordinance and the variances are processed under that ordinance. Therefore, it is important to understand the old ordinance to get a proper perspective of the requests.

Section 8.2 (a) 2. "Generally" required a second entrance for subdivisions over 50 lots (provided a gravel emergency access was provided). Although this section of Cave Quarter only created one lot over 50, the intent of the Applicant was to continue to develop the subdivision during the residential growth period that was taken place in 2004. That is why a variance was not requested at that time. A gravel emergency access was added as shown on the attached copy of the preliminary plat. It is to the right as soon as you enter the subdivision. This emergency access and entrances are shown on Pages 1 and 2 of the attached plats. Please note that this ordinance section always envisioned circumstances that would permit one entrance. That is why the word 'generally' was never removed from the old ordinance.

Since the pace of development slowed, and at the recommendation of the Engineering Department, the Applicant met with the WVDOH to discuss the improvements required at the second entrance. When the Applicant met with Larry Alt, WVDOH, he questioned the need for a second entrance at this time. He went on to recommend that the second entrance be eliminated at this time. A letter reflecting his support is attached. The Jefferson County Department of Engineering and Chief County Engineer and the Planning Commission Staff support the removal of the second entrance based on the WVDOH support. As a matter of fact, the Entrance Permit for this entrance was expired anyway due to the two development extensions that the State and County approved in the past 4 years. Many developers failed to realize that the State Entrance Permits on these developments needed to be kept current even though the State and County tolled the development processes. All Staff stated that any future section would need to process under the current ordinance requirements and WVDOH, PC and Staff would review any future sections.

Section 8.2 (a) 14. This section required a full size round cul-de-sac for any turnarounds that served over 5 lots. The ordinance allowed for a T or Y Turnaround for dead-ends that served up to 5 lots. Although this section only has 4 lots, two lots from a previous section also have access to this portion of the dead-end, so a total of 6 lots are served off of this road. Because of the ultimate temporary nature of this turnaround, the Planning Commission Staff has agreed to support a variance to allow a Y turnaround (as shown on the attached sketch plat). This would allow less pavement and ground disturbance, since the road will ultimately be extended to the next section of the subdivision. A 'Y' or 'T' has been used successfully in other subdivisions for limited use roads. This road is not and will not be used for school buses until such time when the road is extended in possible future sections. The proposed 'Y' is shown

on Page 3 of the attached plat. A full circle is simply not needed for 6 total houses with no houses or lots actually around the circle at this time. Cul-de-Sacs that don't have lots around them tend to draw attention from vandals, partiers and loiterers.

If these variances are approved, the Applicant will finish the project quickly, which will facilitate the closure of this file and a release of the bond. Accordingly, the Applicant respectfully asks that the Planning Commission approve the variance from Section 8.2 (a) 2 and Section 8.2 (a) 14 for this section of Cave Quarter Estates.

Cave Quarter Estates
Request for Planning Commission Variances
Jefferson County Subdivision Ordinance (1979 Version)
Article 8, Section 8.2(a) 2
Article 8, Section 8.2(a) 14
July 22, 2014

Four Criteria:

1. Explain how the request NOT contrary to the public interest:

a.2. (Second Entrance): The main entrance is literally just east of the proposed second entrance. One defined entrance allows the public to know which entrance is going to be used by motorists. This will prevent cars from slowing at two entrances. The permit for the second entrance is now expired and the entrance cannot be completed as designed. In this case the WVDOH as recommended the elimination of the proposed second entrance at this time. That agency is charged with the approval of entrance points. There is already an emergency access road as soon as you enter the subdivision to serve the development when necessary.

a.14. (Round Cul-de-Sac): This full size circle does not have houses or lots currently around the proposed Cul-de-Sac. At this time, a full circle turnaround would only serve as a possible place for garbage dumping, partying and loitering. It would also be a security hazard. The proposed 'Y' as shown on Page 3 would allow cars that unknowingly turn down this short dead-end street a proper an adequate turnaround. This type turnaround has been used successfully in many subdivisions. This portion of the road only serves a limited number of houses.

2. Explain how enforcement of this Ordinance will result in unnecessary hardship:

a.2. (Second Entrance): The Applicant would have to go back to the WVDOH for a new permit under the new permitting standards. The WVDOH now recommends that no second entrance is needed. The Jefferson County Engineering Department and Planning Staff concur at this time. The entrance is so close to the main entrance, it will just be a waste of resources to construct at this time.

a.14. (Round Cul-de-Sac): Adding a full circle for a limited amount of houses and a temporary situation would take more green space and turn it into pavement. This 'Y' will allow less runoff while preserving the green space for future sections. If the circle is put in, it will just need to be removed when the next section is process. That is also a waste of resources.

3. Explain how this request is NOT the result of a self-imposed hardship:

a.2. (Second Entrance): The second entrance was only required because the latest section exceeded the single entrance limit by one house. A variance wasn't requested at the time, because future sections were contemplated to be completed quickly. Since this subdivision was developed in 2004, there has not been a need to process new sections, so the second entrance would technically be needed to serve the one house that took it over the limit. The Staff,

Applicant and WVDOH did not envision a stoppage of work at that time. No one envisioned that the pace of development would slow to this point for the past 10 years. Furthermore, this particular number in this section of the ordinance was a number that was intended as a guide since this provision states: 'Generally, a subdivision shall be served by two entrances...'

a.14. (Round Cul-de-Sac): Again the 'Y' or 'T' is an acceptable solution for up to 5 lots. The one additional lot is not that much of a burden on a dead-end. Since this dead-end has no lots currently planned around the proposed circle, the full size circle really doesn't serve anything. The 'Y' will address all turnaround movements, without creating a 'hang-out' for loiterers.

4. Explain how the spirit of the ordinance will be observed and substantial justice will be done:

a.2. (Second Entrance): Simply put, the old Subdivision Ordinance defers to the WVDOH on road improvement issues as it relates to entrance points. In this case, the WVDOH supports the elimination of this entrance. This elimination was actually brought up by the WVDOH representative that visited the site. This representative spoke at great length with Joe Kent, Jefferson County's Land Development Coordinator about this issue. Substantial Justice would be to allow the elimination as supported by the various Staff.

a.14. (Round Cul-de-Sac): The intent of the ordinance is to allow a place for vehicles to turn around at a dead-end without pulling into someone's driveway. The proposed 'Y' will allow this to happen, without taking up green space. If the full circle was added, it would just need to be removed when the next section was developed. Therefore, the proffered 'Y' serves the spirit of the ordinance while limiting the additional pavement and runoff. Substantial Justice would be to allow the offset 'Y' as shown on Page 3 of the attached plat to serve as a turnaround for vehicles.



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

Office of the District Engineer/Manager
District Five

Earl Ray Tomblin
Governor

P. O. Box 99 · Burlington, West Virginia 26710-0099 · (304) 289-3521

Paul A. Mattox, Jr., P. E.
Secretary of Transportation/
Commissioner of Highways

May 28, 2014

Cave Quarter Estates
Attn: Mark Roper
418 South Samuel Street
Charles Town, WV 25414

Dear Mr. Roper:

Cave Quarter Estates
Permit # 5-03-0724

At your request the WVDOH has revisited the plans for a second entrance into Cave Quarter Estates. It is the opinion of this office the second entrance is not needed at this time. Should this subdivision further develop, we would reconsider the need for a second entrance.

Should the Jefferson County Planning Commission require you to construct the second entrance, you will need to reapply for the entrance permit. At that time we will need to insure it is designed at current standards.

As discussed in our meeting, we will address the culvert across County Route 36 separately. Please submit proper drainage calculations.

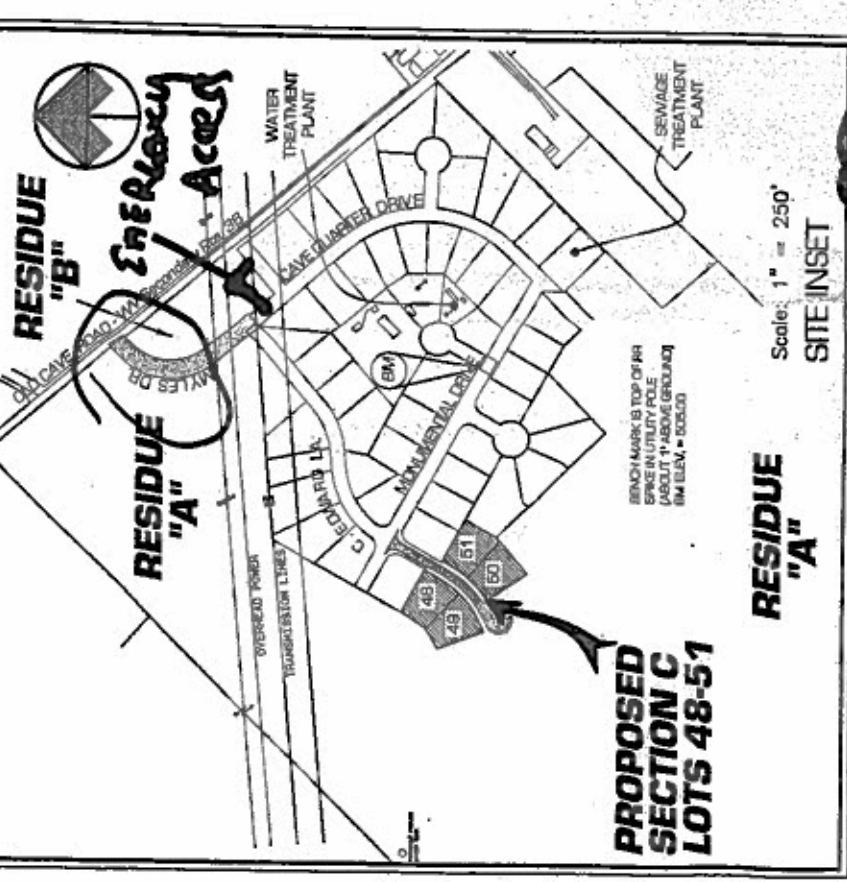
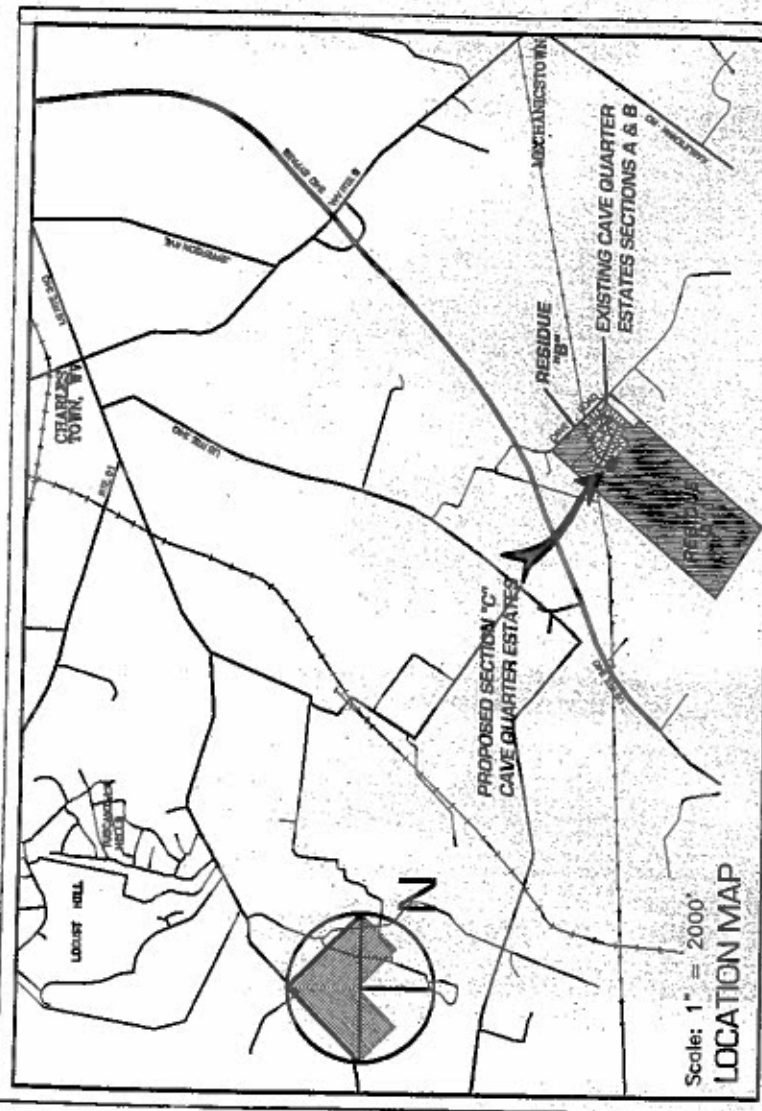
Should you have any questions, please feel free to contact me at 304-289-2284 or larry.a.alt@wv.gov.

Sincerely,

A handwritten signature in cursive script that reads "Larry Alt".

Larry Alt
Permit Reviewer

LAA/tw



- b. Erosion and Sediment Control Measures shall be in place prior to performing any significant earth disturbing activities.
 - c. Earthwork shall be compacted to the percentages of maximum dry density (in accordance with AASHTO T99C) shown below:
 - 98% Roadways
 - 100% Building Pads
 - 95% Parking Lots for Passenger Vehicles
 - 95% Parking Lots for Heavy Trucks
 - 98% Utility Trenches
 - d. Changes or revisions in construction plans and specifications shall not be made unless first approved by the County Engineer and other appropriate agencies.
 - e. Traffic Control Signs shall comply with the standards of the West Virginia Department of Highways.
 - f. No variances have been requested for this project.
- All permanent lot corner markers not susceptible to destruction by subdivision improvements grading and permanent monuments shall be in place prior to the conveyance of individual lots. All other lot corners shall be in place prior to the final release of the construction bond. Lot corners will consist of 24" long by 3/8" diameter sections of steel rod suitable for magnetic detection. Certification of such shall be provided by a West Virginia licensed land surveyor.
- No Future Easements or Right-of-Ways are proposed by this subdivision plan. Roadways will be extended as future development occurs.
- There are no structures existing on the development site.
- There are no structures located within 200' of any proposed drainage pipe outfall.
- All lots within this subdivision are prohibited from constructing private, on-site sewage disposal (septic systems) and private, on-site wells.
- All pipe installation to be inspected by the utility accepting the lines.
- Minimum Lot Area (MLA) and Area per Dwelling Unit (ADU) requirements of the Jefferson County Zoning and Development Review Ordinance have been adhered to by this subdivision plan. Maximum building height shall be 40'.
- Unless shown otherwise on the plot, the building setback limits are: 25' front, 12' side and 20' rear.
- All informal subdivision roads to be owned and maintained by the Cave Quarter Estates Homeowners Association. Homeowners Association membership is required.
- Upon establishment of a Homeowners Association (HOA) the Jefferson County Commission shall be notified by the HOA to adopt an animal leash law.
- No rock piles are proposed for this phase of this development.
- To the best of our knowledge, there are no Existing Physical Features such as woods, water courses, wet overflows, sink holes, quarries, culverts, bridges or drains on the development property.

COVER SHEET	Sheet Number(s)	REVISIONS
OVERALL LOT LAYOUT AND ROAD PLAN & PROFILE	1 OF 8	REVISED 10/15/04 PER COUNTY COMMENTS
PLAN & PROFILE OF ENTRANCE ROAD	2 OF 8	
STORMWATER MANAGEMENT PLANS	3 OF 8	
DRAINAGE AREA MAPS/SOILS/LANDSCAPING	4 OF 8	
CULVERT PLAN & PROFILE	5 OF 8	
DETAILS, NOTES	6 OF 8	
EROSION AND SEDIMENT CONTROL PLAN	7 OF 8	
PLAN ADDENDUM (SEE SHEETS 1-4 OF 4) OF THE WATER & SEWER PLANS (ATTACHED HERETO) FOR CAVE QUARTER ESTATES - SECTION C	8 OF 8	

Page 1

TABLE OF MILESTONE INSPECTIONS	Date Inspected	Inspector's Initials
1. Installation of Sediment and Erosion Control Devices must be inspected prior to any other work.		
2. Completion of Underground Utility Installation must be inspected prior to utility connection.		
3. Completion of Grading for Roads		
4. Completion of Grading for Buildings		
5. Completion of Base Stone Installation & Compaction must be inspected prior to brick concrete.		
6. Completion of Sidewalks		
7. Completion of Final Grading and Seeding		
8. Completion of Final Project Details		
9. Completion of Stormwater Management Rough Grading		
10. Completion of Stormwater Management Details		

a. The Developer shall request County Engineer Inspections 48 hours in advance whenever possible (Call 799-3228). Inspections shall be requested according to the "Table of Milestone Inspections" shown above.

See notes b, through L at upper right corner of this plan.

SYMBOL KEY
UNLESS LABELED OTHERWISE, ALL CORNERS SHOWN AS "O" ARE TO BE SET 5/8" REBARS PER NOTE ON SHEET 1.
CONCRETE MONUMENTS ARE SHOWN: CONCRETE MON.

Call "Miss Utility" 1-800-245-4848
12 hours prior to any excavation.

OWNER/DEVELOPER:
MARK ROPER
418 South Samuel Street
Charles Town, WV 25414
304-725-8806

DEVELOPER'S STATEMENT OF ACCEPTANCE
The developer, by signing this plat, agrees to abide by all conditions, terms and specifications provided herein.

Mark Roper
Date: 11/11/04

APPROVED:
ROGER GOODWIN, Jefferson County Engineer
By: [Signature]
County Engineer, Date: 11/11/04

PRELIMINARY PLAT showing SECTION "C" Lots 48 - 51

CAVE QUARTER ESTATES
CHARLES TOWN MAGISTERIAL DISTRICT

Map 16 p/o Parcel II
Deed Book 406 Page 617
JEFFERSON COUNTY, WV
AUGUST 2004
Revised October 10, 2004

HUNTLEY, NYCE & ASSOCIATES, INC.
P.O. Box 536
Inwood, WV 25428
304-229-2123



JOHN STROUD KUSNER
Professional Land Surveyor No. 328
1089 Washington Street, Bolivar, WV
304-535-9978

drawn by
COLIN J. MITCHELL
PROJECT MANAGEMENT
Rte. 3 Box 795
Harpers Ferry, WV 25425
304-876-9390 (fax: 304-876-3088)



HUNTLEY, NYCE & ASSOCIATES, INC.

ROAD PLAN & PROFILES

P.O. Box 536 - Inwood, WV 25428 - 304-229-2123

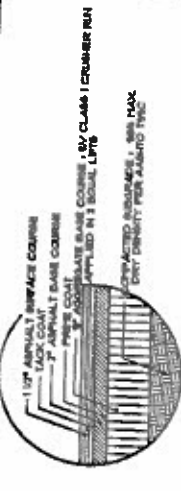
drawing by COLIN L MITCHELL PROJECT MANAGEMENT

CAVE QUARTER ESTATES SECTION C

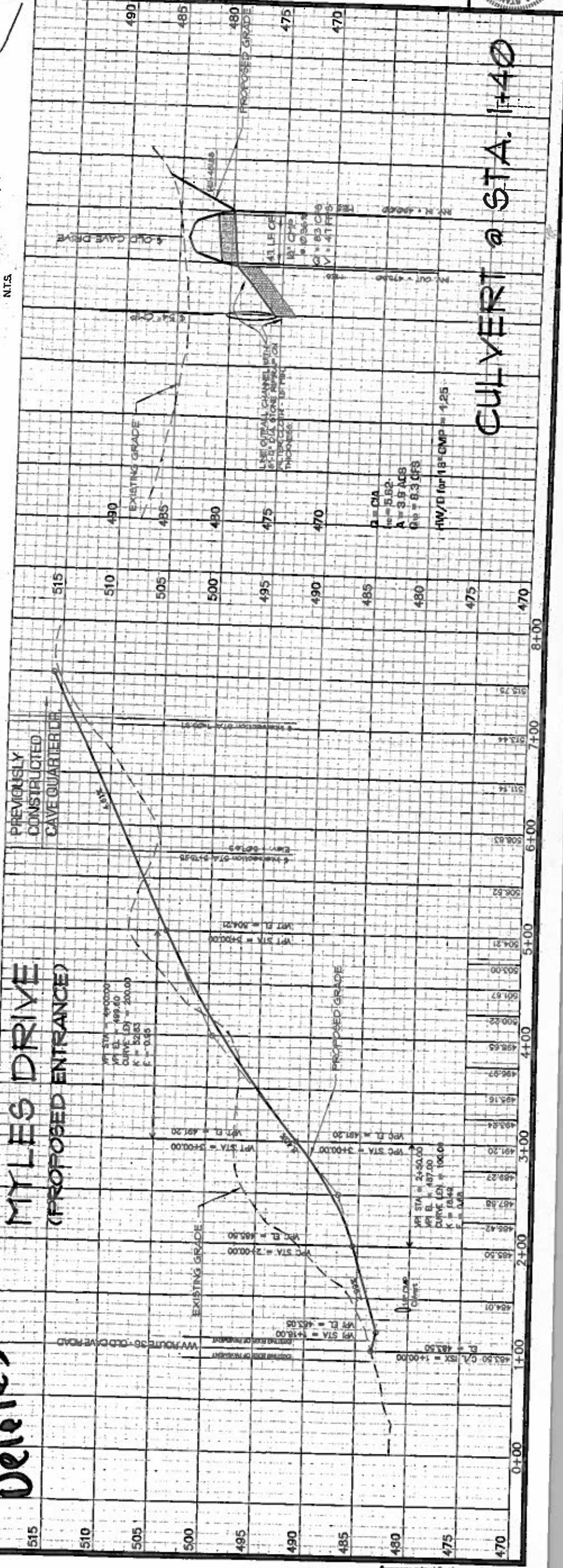
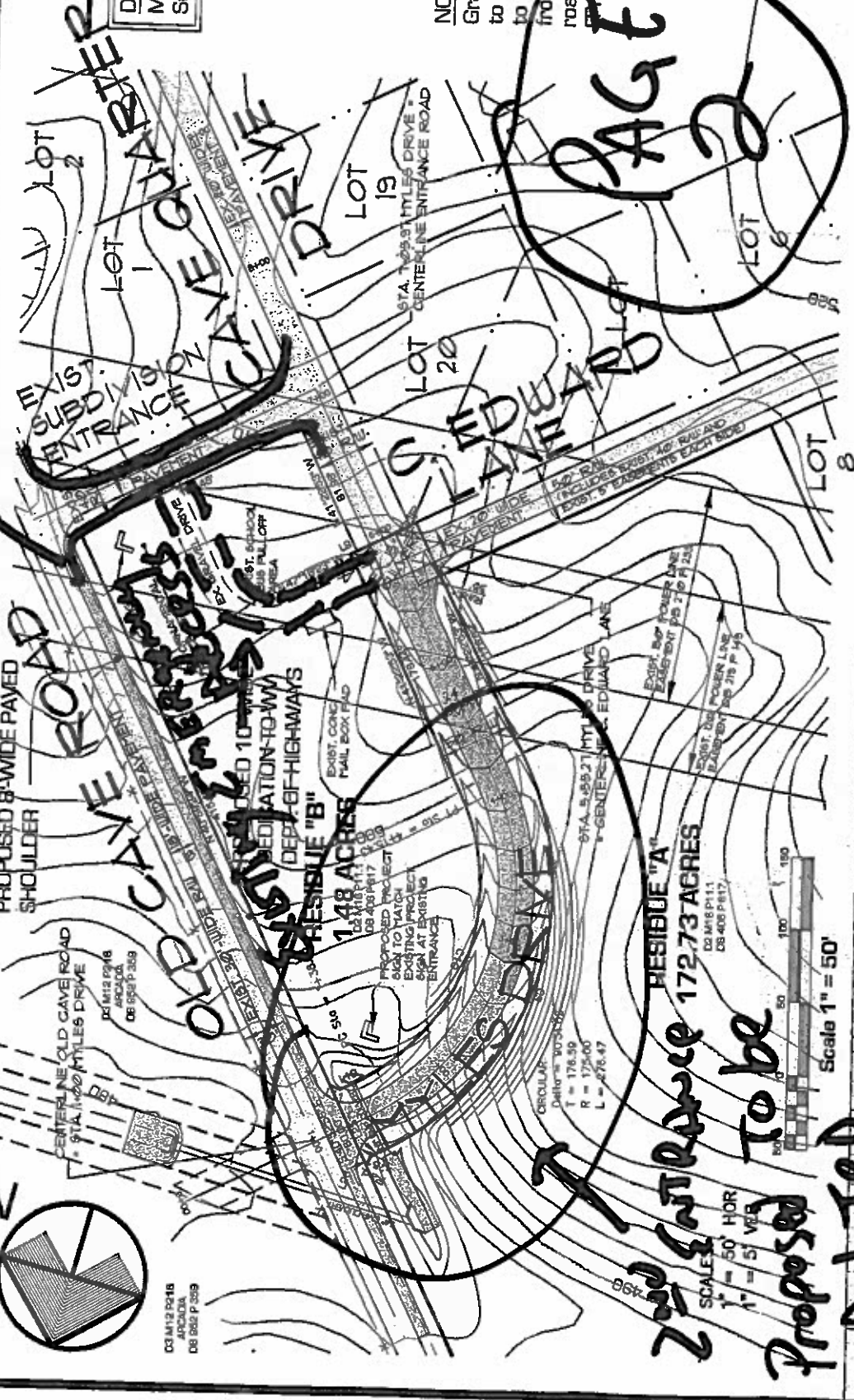
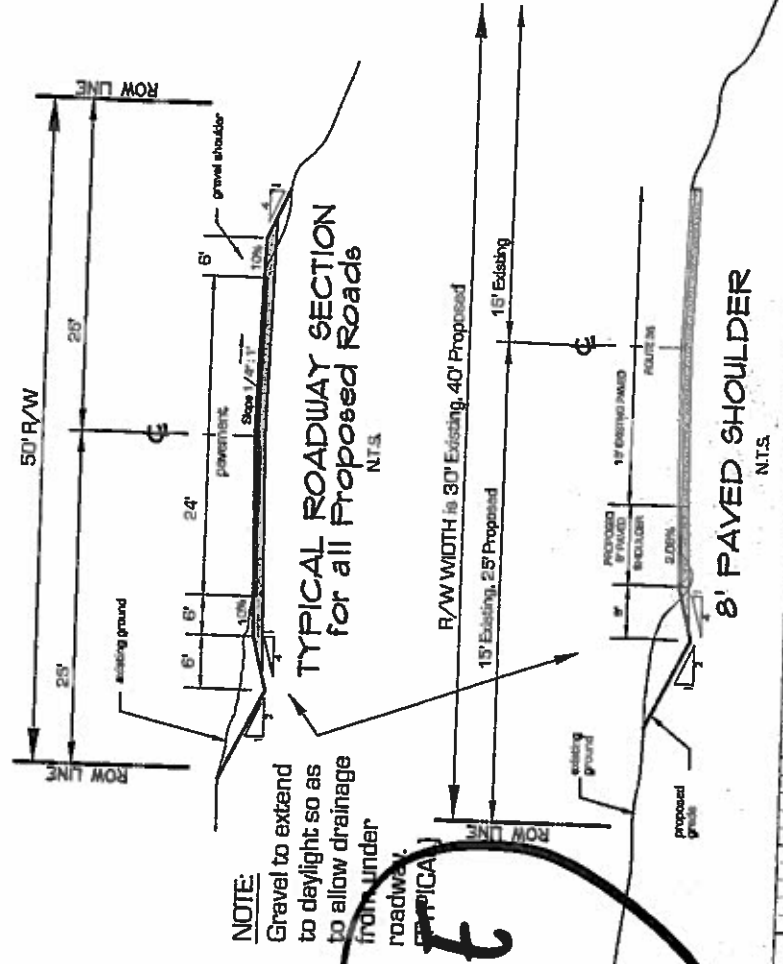
MYLES DRIVE

DITCH INVERT TREATMENT:
Mesh Ditch Liner: Sta. 5+00 - 5+75
Sod: Sta. 1+20 - 5+00

UNLESS LABELLED OTHERWISE, ALL CORNERS ARE TO BE SET 5/16" BEYOND PER NOTE ON SHEET 1.



PAVING DETAIL



CULVERT @ STA. 1+40

ROAD PLAN & PROFILES

HUNTLEY, NYCE & ASSOCIATES, INC. - P.O. Box 536 - Inwood, WV 25428 - 304-229-2123

SCALE AS SHOWN
DATE: AUGUST 2004
SHEET 2 of 2

C. EDWARD LANE

CAVE QUARTER ESTATES SECTION C



NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD DIRECTION	CHORD LENGTH
C1	18°27'50"	320.00	73.25	58.83	S 77°58'02" W	73.25
C2	15°22'30"	250.00	87.28	43.88	S 65°44'49" W	88.38
C3	15°58'25"	250.00	86.58	43.25	S 48°28'41" W	86.58
C4	12°03'17"	320.00	66.38	34.32	N 34°12'16" E	66.38
C5	14°38'30"	270.00	71.41	35.90	N 26°18'57" E	71.50
C6	26°15'48"	270.00	100.08	64.15	N 26°18'57" E	100.08
C7	14°28'00"	270.00	68.19	34.78	S 77°11'34" W	68.19
C8	13°48'37"	270.00	78.00	38.88	S 85°05'18" E	78.00
C9	00°21'10"	200.00	318.87	801.81	N 03°52'38" E	804.12
C10	00°21'10"	180.00	208.87	151.35	N 03°52'38" E	213.08

Lot Line, Right-of-Way and Residue Dimension Tables

NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD DIRECTION	CHORD LENGTH
E11	8°07'50" E	14.14	14.14	10.00	S 85°05'18" E	14.14
E12	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E13	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E14	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E15	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E16	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E17	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E18	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E19	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E20	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E21	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E22	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E23	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E24	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E25	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E26	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E27	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E28	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E29	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E30	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E31	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E32	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E33	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E34	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E35	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E36	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E37	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E38	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E39	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E40	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E41	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E42	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E43	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E44	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E45	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E46	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E47	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E48	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E49	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E50	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E51	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E52	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E53	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E54	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E55	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E56	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E57	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E58	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E59	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E60	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E61	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E62	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E63	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E64	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E65	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E66	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E67	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E68	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E69	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E70	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E71	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E72	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E73	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E74	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E75	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E76	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E77	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E78	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E79	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E80	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E81	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E82	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E83	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E84	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E85	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E86	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E87	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E88	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E89	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E90	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E91	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E92	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E93	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E94	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E95	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E96	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E97	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E98	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E99	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14
E100	8°07'50" E	14.14	14.14	10.00	N 28°28'41" E	14.14

Easement Dimension Tables



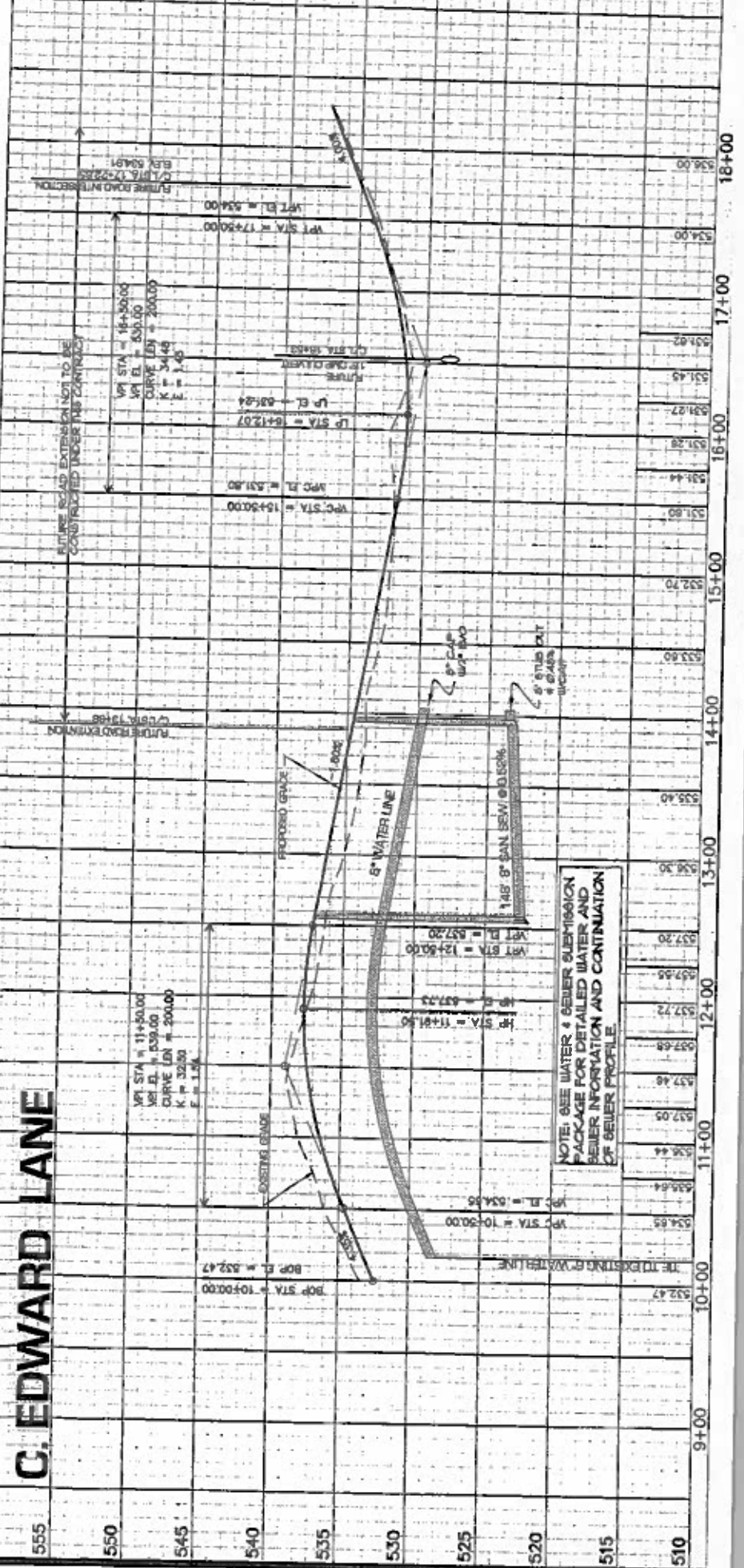
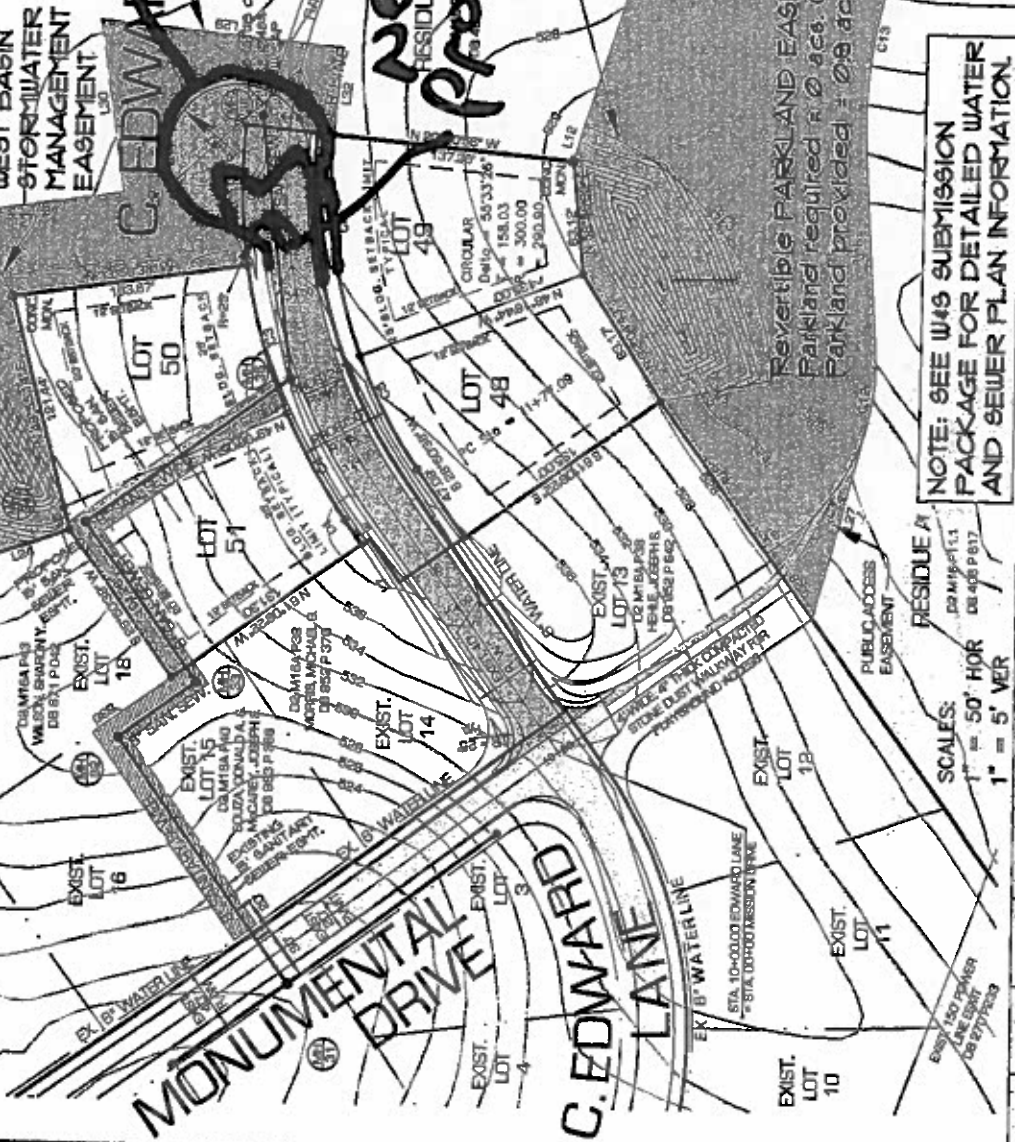
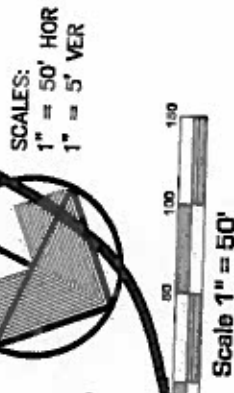
Proposed
Lot 49 = 13,069 sf = 0.300 acs.
Lot 50 = 18,719 sf = 0.315 acs.
Lot 51 = 20,000 sf = 0.306 acs.

REVERTIBLE WEST BASIN STORMWATER MANAGEMENT EASEMENT
 REVERTIBLE PUBLIC ACCESS EASEMENT
 REVERTIBLE EAST BASIN STORMWATER MANAGEMENT EASEMENT

DITCH INVERT TREATMENT:
 Mesh Ditch Liner: Sta. 10+20 - 11+20
 Seed & Mulch: Sta. 11+20 - 13+88

3 PAGE

UNLESS LABELLED OTHERWISE, DIMENSIONS SHOWN AS 0 ARE TO BE SET 5/8" REPAIRS PER NOTE ON SHEET 1.



NOTE: SEE WATER & SEWER SUBMISSION PACKAGE FOR DETAILED WATER AND SEWER INFORMATION AND CONTINUATION OF SEWER PROFILE.

NOTE: SEE W-9 SUBMISSION PACKAGE FOR DETAILED WATER AND SEWER PLAN INFORMATION.

MONUMENTAL DRIVE
 C. EDWARD LANE

C. EDWARD LANE

Revised: Oct 18, 2004 by 10484
 Project: HUNTLEY, NYCE & ASSOCIATES, INC. - P.O. Box 536 - Inwood, WV 25428 - 304-229-2123

This information is
Tab # 7 of your binder

Draft Envision Jefferson 2035
Comments Received at July 22, 2014 Planning Commission Meeting

#	Topic	Request	Section and/or Current Language in Draft Plan	Staff Comment	Staff Recommendation
1	Land Use Principles	Recommended referencing <u>Smart Growth Guidelines Document</u> .	<p>Section 1.A – Urban Level Development Area Recommendation 5.d (pg. 31): “Consider the utilization of alternatives to use-separated (Euclidian) zoning within the UGB and PGA, such as the SmartCode adopted by the City of Ranson or performance based zoning to achieve the desired land used goals.”</p> <p>Implementation Tools (pg. 161): “Mixed use developments that provide dense walkable communities with New Urbanism/Smart Growth design principles should be encouraged in locations delineated on the Future Land Use Map (see Appendix E – Design Guidelines Images).”</p>	The Plan addresses the concept of the comment provided.	No change recommended.
2	Future Land Use Map	<p>Show locations of H.F. Adventure Park and mega-zip as being used (currently shown as vacant commercial); also show Historical River Tours as being used. Lots located near main facility are shown as large lot residential – change to residential or commercial.</p> <p>Campground property on Bakerton Rd should be shown as rural instead of large lot.</p> <p>Show boat ramp at end of Knott Road as an access point.</p>		<p>Campgrounds and boat ramps as shown on the Existing Land Use Map will be shown on the Future Land Use Map.</p> <p>Change of lots near main facility shown as Large Lot to “Residential or Commercial” designation is reasonable.</p> <p>On the Future Land Use Map, Historical River Tours is shown as “Residential or Commercial”</p> <p>The boat ramp at the end of Knott Road would require processing as a commercial use to be approved. There is no record of commercial use or public access at this location and would further open up an intensive commercial use in a residential area.</p>	<p>That campgrounds and boat ramps as shown on the Existing Land Use Map should be shown on the Future Land Use Map. The boat ramps shown on the Existing Land Use Map depict WV DNR boat launch locations, County owned sites, or are sites that have continuous established commercial use.</p> <p>Change of lots near main facility shown as Large Lot to “Residential or Commercial” designation.</p> <p>No change to H.F. Adventure Park, mega-zip and Historical River Tours as it is shown as requested on the Future Land Use Map as “Residential or Commercial”</p> <p>It is appropriate for the Campground property</p>

Draft Envision Jefferson 2035
Comments Received at July 22, 2014 Planning Commission Meeting

#	Topic	Request	Section and/or Current Language in Draft Plan	Staff Comment	Staff Recommendation
					on Bakerton Road to be shown as rural instead of large lot. Not to show the designation of a boat ramp on Knott Road which does not have a record of use as commercial use.
3	Future Land Use Map	The property identified on the northwest corner of Old Country Club and US Route 340 would like clarification regarding to the fact that it has both Preferred Growth Area and Urban Growth Boundary designation.	Property is shown on Future Land Use Map as "Mixed Use Residential/Commercial." Property is within the Urban Growth Boundary (UGB) of Ranson.	Property is located within the Ranson Urban Growth Boundary (UGB) and within an identified Preferred Growth Area (PGA). Since the property is shown as "Mixed Use Residential/Commercial" and in the Ranson UGB, the ability for this property to develop as the applicant is requesting already exist.	The Preferred Growth Area circle shown on the map for the Country Club/Marlow and 340 intersection should be amended to show only areas outside the UGBs to avoid confusion.
4	Future Land Use Map	Concern that existing definition of Overlay District will allow a property owner to change zoning designation.	Appendix H – Definitions and Acronyms (pg. 247): "Overlay Zoning District: A district or zone which addresses special land use circumstances and is superimposed over the underlying existing zoning districts. Permitted uses in the underlying zoning districts shall continue subject to compliance with the regulations of the overlay zone or district."	Overlay districts are used for a variety of purposes but are not intended to be used to change the zoning of a property. The overlay might include the concept of having certain standards that apply in the defined overlay area. Examples of an overlay district is to ensure uniformity of signs along a road, design standards, or business owners adopting local area tax to improve the area defined in the overlay district	Amend definition to include "Overlay districts are not a mechanism by which to change existing zoning designations."
5	Future Land Use Map	340 East PGA in the residential neighborhood of Campground Road is poorly suited for expansion of commercial uses beyond the cottage industry-level that currently exists. The predominate character of the area is residential, rural, and historic and it should remain so.	340 East Preferred Growth Area (PGA)	The Steering Committee determined that development at the intersections along US 340 was preferable to extensive development along the whole corridor. Since this intersection has a signalized intersection light and the ability to extend water and sewer from Harpers Ferry and Bolivar exists, it was reasonable to expect that character of the area could change. However, the Future Land Use Map only shows where commercial zoning already exists.	If the Planning Commission believes that this intersection should retain the current land uses, this is a reasonable consideration. The area of campground road is not generally visible due to the fact that U.S. 340 is elevated in this area, making this location less attractive for commercial activity.

Draft Envision Jefferson 2035
Comments Received at July 22, 2014 Planning Commission Meeting

#	Topic	Request	Section and/or Current Language in Draft Plan	Staff Comment	Staff Recommendation
6	Future Land Use Map	PGAs and UGBs are excellent concepts that provide valuable context for the citizens and business community to understand where growth and development are best suited in the County.	Section 1 – Urban Level Development Recommendation 5 (pg. 30): “Create urban level land uses within the municipalities, UGBs, PGAs, or Villages through rezoning that is consistent with the Future Land Use Map and Comprehensive Plan policies.”	The Steering Committee made a conscious decision to delineate PGA areas that are designated areas of growth where businesses could easily determine where they can locate. This also allows planning for necessary infrastructure. The UGBs and PGAs provide both the public and the business community a goal of where development should occur and should result in less uncertainty about where growth will occur in the County.	No change recommended as the public comment supports the goals and concepts found in the Plan.
7	Middleway Preferred Growth Area	Development around the 3M Plant would be a huge undertaking. Land not suitable for development due to swamp and limestone area.	Future Land Use Map The Comprehensive Plan regarding the Middleway Preferred Growth Area: “Adjacent to the village is a vacant industrial facility with existing water, sewer and natural gas utilities that, with some improvements, could also serve the village area. The vacant facility could be redeveloped for a variety of office/business uses and the historic Middleway area could be augmented in a pattern and scale compatible with the traditional village center.”	Most of the development proposed in the plan is the redevelopment of the existing facilities located on the existing 3M Plant, not the creation of additional development at the 3M plant. Document does call for much of the remaining land at 3M to be used for recreational area.	No change recommended.
8	Buses / Public Transportation	Add estimates for bus expansion, include demand response service which would serve widely-scattered population cost effectively. Use Berkeley County costs as a guide for planning for Jefferson County.	Section 2.E – Transportation (pg. 114-116)	The implementation of this element falls under Eastern Panhandle Transit Authority (EPTA/PanTran) and the County needs to continue to work closely with EPTA’s planning efforts to ensure expanded bus service meets the needs of Jefferson County. This concept is included in the Plan.	Add a sentence to the Plan about EPTA’s demand response service in Jefferson County.

Draft Envision Jefferson 2035
Comments Received at July 22, 2014 Planning Commission Meeting

#	Topic	Request	Section and/or Current Language in Draft Plan	Staff Comment	Staff Recommendation
				Demand response does exist in Jefferson County and potential expansion could be investigated with the cooperative of EPTA.	
9	Transportation (EPTA)	Transportation is an economic engine to any community; viable transportation system is necessary to bring big businesses to the area. Spoke favorably with regard to the inclusion of this section in the Plan.	Section 2.E - Transportation	Comment supports transportation improvements found in the Plan that would result in a well-developed transportation system that would foster the Jefferson County economy.	No change recommended.
10	EPTA / PanTran Transportation	EPTA plans and expansion should be supported by the County and with increased funding. EPTA should have disabled transportation accessibility options clearly understandable as the services expand. E.G.: Currently, one can call for a pick up but the return trip coordination is frequently difficult or impossible to arrange.	Section 2.E - Transportation Recommendation 8 (pg. 118): "Fund and expand EPTA (PanTran) services to meet the growing and evolving needs of all Jefferson County Residents." Recommendation 10 (pg. 118): "Collaborate with key stakeholders to ensure the funding and development of the Charles Washington Commuter Center in downtown Charles Town."	Reasonable request.	Staff recommends amending Transportation Recommendations to include the addition of 8.d to address the transportation needs of the disabled population.
11	Transportation	Change use of the term "transportation impact fee" to "transportation designated funding"	Section 2.E – Transportation Recommendation 1.d (pg. 117): "Consider the development of a transportation impact fee to support future roadway funding."	Reasonable request.	It was brought to the attention of Staff that the term "impact fee" was incorrect because the County does not own any roads. Change recommendation text to read: "Consider the development of transportation designated funding to support future roadway funding."
12	Transportation	Generally supports the Plan's recommendations pertaining to transportation.		Thank you	No change recommended.
13	Public Safety	Requests the Planning Commission consider proposals regarding Public Safety to include police meeting force	Section 5.B – Public Safety Recommendation 2 (pg. 153): "Consider, by 2035, constructing and operating a County or	Plan currently outlines needs of public safety support and needed training. The recommendations of the Comprehensive Plan	No change recommended.

Draft Envision Jefferson 2035
Comments Received at July 22, 2014 Planning Commission Meeting

#	Topic	Request	Section and/or Current Language in Draft Plan	Staff Comment	Staff Recommendation
		support, rescue and fire funding for training and intra-county coordination.	<p>region-wide fire and/or police training facility.”</p> <p>Recommendation 4 (pg. 153): “Consider the merger of countywide and municipal police services or training activities under a unified agency.”</p> <p>Recommendation 9 (pg. 153): “Encourage cross training of county fire, EMS, and police/sheriff staff in a variety of functions.”</p> <p>Section 5.C – Intergovernmental Coordination (pg. 154 – 155)</p>	are the “Current Language Column”.	
14	Public Utilities	Consider costs associated with implementing Goal #10. Develop a strategy to obtain funds to cover the expense of upgrading utilities.	<p>Goal #10 (pg. 212) “Maintain and enhance Community Services and Infrastructure Capacity for Water, Sanitary Sewer, Storm Sewer, and Other Utilities; and Enable the Provision of Orderly and Efficient Services and Advances Technologies.”</p>	<p>The goals are intentionally broad and the recommendations found in Section 2.D - Infrastructure include possible methods of implementing the broader goal. Careful coordination with various utility providers is necessary in order to meet the demands of planned growth.</p> <p>Cost of development will be incurred by both private and public sectors. There will be public costs related to existing infrastructure improvements and funding mechanisms should be further explored. Infrastructure related to developments will be incurred by private sector.</p>	No change recommended.

Draft Envision Jefferson 2035
Comments Received at July 22, 2014 Planning Commission Meeting

#	Topic	Request	Section and/or Current Language in Draft Plan	Staff Comment	Staff Recommendation
15	Light Pollution	Incorporate significant light pollution guidelines for the whole County. Current language focuses on designated natural resource areas.	Section 3.B - Natural Resources Recommendation 1.c (pg. 128): "Research and recommend appropriate lighting standards, based on the International Dark Sky Association recommendations, for new development and the retrofitting of current development."	The Plan addresses the comment provided and makes the recommendation related to all residential and non-residential subdivisions.	No change recommended.
16	Property Rights	Reference to river front properties as non-conforming uses.	Section 2.C – Tourism Recommendation 8 (pg. 89): "Coordinate with riverside property owners and river tourism service providers to identify and implement methods that would enhance recreation options along the County's waterways, including public river access." Section 2.C – Tourism Recommendation 8.a (pg. 89): "When considering the enhancement of river recreation options, rural landowners' property rights and the quality of life of the individuals and families living along the waterways should be factored into any development plans."	Residentially used properties in the Rural District are not considered non-conforming uses; however, some of the lots sizes may be too small to meet current regulatory standards and in that sense would be considered non-conforming. The lots are permitted to have residential activity. The Existing Land Use Map identifies all residential lots by size.	Already addressed in the Existing Land Use Map. No change recommended.
17	Recreational Tourism	Acknowledge that recreational tourism has off-site impacts.	Section 2.C – Tourism Recommendation 8 (pg. 89): "Coordinate with riverside property owners and river tourism service providers to identify and implement methods that would enhance recreation options along the County's waterways, including public river access." Section 2.C – Tourism Recommendation 8.a (pg. 89): "When	Recreational tourism is a part of the Jefferson County economy. However, it is true that there are impacts that recreational activity creates related to the roads and rivers. There might be instances where the vehicle traffic related to recreational tourism could affect a residential neighborhood and its road system.	The Plan acknowledges that recreational tourism is a part of the County's economy and that it creates off-site impacts that need to be mitigated. When developing standards to permit additional recreational tourism in the County, standards should consider off-site impacts.

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			considering the enhancement of river recreation options, rural landowners' property rights and the quality of life of the individuals and families living along the waterways should be factored into any development plans."		
18	Recreational Tourism & Transportation	Would like to see more rural and recreational uses in the County. The County should consider commuter bike paths along 340; also consider bike taxis.	<p style="text-align: center;">Section 2.E – Transportation</p> <p>Recommendation 7.a (pg. 118): "Collaborate with the Division of Highways (DOH) to allow pedestrian/bike trails to be constructed within the right-way where appropriate."</p> <p style="text-align: center;">Section 3.C – Recreation</p> <p>Recommendation 6.k (pg. 134): "Ensure that pedestrian and bicycle access is provided along the main road corridors in Jefferson County as part of a Countywide pedestrian and trail network."</p>	These concepts can be found in the Plan with the exception of the bike taxi.	Amend the Transportation Element of the Plan to strengthen the discussion of commuter bike paths and bike taxis.
19	Recreation	Include the Blue Ridge communities in recreational development. Goal to have an indoor recreational facility, ball field, and a community center. Benefits would include keeping kids active and out of trouble.	Section 3.C - Recreation	Recreational needs are noted in the Plan. Specific recreation areas are not detailed but could include a recreation facility on the Blue Ridge when a detailed plan is developed.	<p>This recommendation was sent over to Parks and Recreation for consideration in their master planning effort.</p> <p style="text-align: center;">No change recommended.</p>
20	Bike/Pedestrian Path Connectivity	In support of promoting connectivity between the National Park Service's trail system and trails in the County and surrounding municipalities.	<p>Section 2.E – Transportation (pg. 114): "The Eastern Panhandle Trailblazers has a goal to develop a recreation trail from Harpers Ferry to Hancock. They are collaborating with the Harpers Ferry National Historical Park and the Town of Harpers Ferry to develop a trail along Potomac Street Extended."</p> <p style="text-align: center;">Section 3.C – Recreation</p>	The Plan acknowledges the public comment received and the need to provide more trail connectivity, including working with the NPS and Appalachian National Scenic Trail.	No change recommended.

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			Recommendation 6.i (pg. 134): "Work closely with the National Park Service and the Appalachian National Scenic Trail to create a countywide trails plan that provides interconnections between the various existing and potential trails that run throughout the Harpers Ferry National Historical Park."		
21	Bike Trails (Transportation / Recreation)	The County can benefit from more bike trails. Specifically, a trunk from Shepherdstown to Ranson/Charles Town would help safely connect these town communities and provide more recreation (and commuting) opportunities. Explore the possibility of sharing the Norfolk Southern rail line right-of-way as well.	<p>Section 2.E - Transportation Recommendation 7.a (pg. 118): "Collaborate with the Division of Highways (DOH) to allow pedestrian/bike trails to be constructed within the right-of-way where appropriate."</p> <p>Section 3.C: Recreation (pg. 130): "One of the biggest needs identified by residents was expansion of a trail network that would not only include trunk lines such as the Route 9 Bike Path, but also trails that would connect communities, schools, and recreational facilities."</p>	The concept provided in the public comment is found in the document. However, the comment is more specific and it would be reasonable to amend the draft Plan to include the specifics found in the recommendation.	<p>Staff recommends amending Transportation Recommendation 7.a to include railroad rights-of-way in addition to the Division of Highways rights-of-way for potential bike/pedestrian trails.</p> <p>Staff recommends amending Parks and Recreation Recommendation 6.h to read, "...such as a trail from Shepherdstown to Ranson/Charles Town."</p>
22	Dog Park	Supports the goal for a true dog park with separate dog areas and a secure way to keep the dogs inside. The current "dog park" is really a multi-use large fenced area with too many gates far apart that get left open. The Park is closed a lot with no advanced notice, due to other uses of the large area. Request: fence off one small side of the current dog park to make it more useful.	<p>Section 3.C – Recreation Recommendation 8.c (pg. 135): "Construct a large-scale dog park with a wide range of activities for dogs, including areas for small and large dogs and a water feature."</p>	The concept provided in the public comment is found in the document. However, fencing recommendation could be passed on to Parks and Recreation for consideration.	No change recommended.

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23	Quarries Redevelopment Areas (QRAs)	Consider developing quarry for recreational purposes rather than industrial. I.E.: Sailing schools, scuba diving instruction, etc.	<p>Section 1 – Land Use and Growth Management Element (pg. 21-22): “There are two QRAs along U.S. 340 and they consist of Old Standard Quarry (Millville Road) and Shenandoah Quarry (U.S. 340 and Blair Road).”</p> <p>“Both quarries could be used for mixed used developments, office and commercial uses, technology companies that have a need for water, and recreational activities.”</p>	The Plan specifically notes along 340 East there are two separate areas called “Quarry Redevelopment Area” which contains the two inactive quarry “lakes.” The Plan notes the Quarry Redevelopment Areas could be used for multiple different purposes including a private for profit recreational development.	No change recommended.
24	Quarry Redevelopment Areas	Supports concept of light recreational development that incorporates design standards that are sensitive to the topography, viewsheds, and their historical surroundings.	<p>Section 1 – Land Use and Growth Management: Preferred Growth Areas (PGAs) U.S. 340 East PGA (pg. 22): “Redevelopment should consider site development that incorporates the design of the structures with the topography and other natural features.”</p>	The Plan notes that redevelopment of the site “should” consider design of structures, topography and natural features. It may be reasonable to consider what is visible on the Old Standard Quarry Property for people travelling Eastbound on U.S. 340. Consideration of the view of the higher elevations of the Quarry from U.S. 340 does not need to eliminate the ability to build on the higher elevations, but should take into consideration the height of the structure on the quarry property.	The PC may want to consider incorporating language to this effect.
25	Quarry Redevelopment Area and Existing Land Use Map	<p>The Plan should recognize and designate the Millville Quarry for mineral recovery, not industrial use.</p> <p>The Plan should include language requiring that if and when the quarry operations cease and there is an interest in redevelopment, an amendment to the Plan could be undertaken to explore what uses and zones would be appropriate.</p>	<p>Existing Land Use Map (pg. 195)</p> <p>Land Use and Growth Management Element Quarry Redevelopment Area (pg. 21 & 22)</p>	It is reasonable to change the Future Land Use for the active area of Millville Quarry to Rural/Agricultural with a designation that clearly indicates that the mineral recovery activity can continue. It is also reasonable to think that a redevelopment plan be developed when operation ceases.	<p>Staff recommends changing the Future Land Use designation for the Millville Quarry on the Future Land Use Map to reflect Rural with “QUARRY” written on the map.</p> <p>Add a statement on page 22 that if the active quarry ceases operation, a redevelopment plan needs to be prepared.</p>

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26	Natural Resources	The quarries could be utilized as a clean water reservoir as a backup in the event of a contamination in local drinking water supply.	<p>Section 1 – Land Use and Growth Management Element (pg. 21-22): “There are two QRAs along U.S. 340 and they consist of Old Standard Quarry (Millville Road) and Shenandoah Quarry (U.S. 340 and Blair Road).”</p> <p>“Both quarries could be used for mixed used developments, office and commercial uses, technology companies that have a need for water, and recreational activities.”</p>	There is merit to the concept, however, the quarries are privately owned.	No change recommended.
27	Alternative Energy	Concerned that plan does not acknowledge two laws which prohibit cooperatives or communities to create a solar panel system that would feed multiple houses.	Section 2.D - Infrastructure	Reasonable request	Amend Plan to allow for cooperative or community wide solar panel system.
28	Impact Fees	The County should retain impact fees. Impact fees should be used to pay for the services required to support an increase in population.	<p>Section 5.A – Finance (pg. 147)</p> <p>Goal #24, Objective 6 (pg. 223): “Continue to regularly evaluate County impact fees to ensure that they are able to support existing levels of services (based on population growth) for relevant agencies.”</p>	Concept supported by the Plan.	No change recommended.
29	Impact Fees	County should consider doing away with impact fees for schools with age restricted communities since there is no benefit from public schools to age restricted/transitional housing communities.	<p>Section 1.A - Urban Level Development Recommendation 8.a (pg. 32) “Incentivize development, through the use of lower impact fees, within the municipalities, UGBs, the PGAs, and Villages by developing a two-tier impact fee schedule.”</p> <p>Section 1.E – Housing (pg. 60): “The development of a two-tiered impact fee, where the fees might be lower in the urban</p>	<p>Quality and viability of a community depend upon having good school system.</p> <p>The Plan calls for a two tiered impact fee, particularly a reduced fee in the identified growth areas to incentivize growth where it is desired and is the most cost efficient for new infrastructure.</p> <p>The Plan anticipates that transitional/age</p>	Staff recommends that because the Plan anticipates that transitional/age restricted housing communities would be in an urbanized area and would therefore be part of the concept to have a lower impact fee in the identified growth areas, no change in text is required.

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			core, could possibly assist in the creation of affordable housing units.”	<p>restricted housing communities would be in an urbanized area and could be part of the concept to have a lower impact fee in the identified growth areas.</p> <p>Consideration must be given to the fact that a transitional/age restricted housing community may not always stay age restricted. Any sale or change out of an age restricted community would require the assessment of an impact fee, which would be hard to monitor and implement.</p>	
30	Impact Fees	Keep impact fees for schools for transitional/age restricted housing communities. No matter how old you are, you can benefit from well-funded, high-quality public schools.	Section 1.E - Housing	<p>Quality and viability of a community depend upon having good school system.</p> <p>The Plan calls for a two tiered impact fee, particularly a reduced fee in the urban area to incentives growth where it is desired and most cost efficient for new infrastructure.</p> <p>The Plan anticipates that transitional/age restricted housing communities would be in an urbanized area and could be part of the concept to have a lower impact fee in the identified growth areas.</p> <p>Consideration must be given to the fact that a transitional/age restricted housing community may not always stay age restricted. Any sale or change out of an age restricted community would require the assessment of an impact fee, which would be hard to monitor and implement.</p>	<p>Staff recommends that because the Plan anticipates that transitional/age restricted housing communities would be in an urbanized area and would therefore be part of the concept to have a lower impact fee in the identified growth areas, no change in text is required.</p>

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31	Impact Fees	The new resident's impact fee should be used for new water treatment plants and the Developer's should build their own treatment plants.	Section 5.A - Finance	Implementation of impact fees requires a study, establishment of level of service, and an ordinance to be conducted by the County Commission. The County's current impact fees are being re-evaluated. The County could consider funding water treatment plants through this tool.	If the Planning Commission deems this to be appropriate, a recommendation could be added under the Urban Level Development recommendations and/or Infrastructure and Technology recommendations.
32	Housing	Spoke favorably about Affordable Housing goals.	Section 1.E – Housing Recommendations are on pages 64 and 65	Comment supports the concept of affordable housing found in the Plan that would result in creating a mix of housing prices in Jefferson County.	No change recommended.
33	Plan Recommendations	Acknowledged the recommendations in the document will require the support of legislatures in Charleston.	Recommendations through the document.	The comment acknowledges the Plan includes the need to amend state law to enact certain measures of the Plan.	No change recommended.
34	Recommendations	The proposed Plan has hundreds of recommendations. This is way too ambitious and includes many things that don't even belong in a Comprehensive Plan.	All recommendations.	<p>The Plan is intended to be comprehensive in nature and was not written in such a manner that every single recommendation could be accomplished.</p> <p>It has been acknowledged in the public meetings that the Plan includes recommendations that may not come to fruition during the life of this Plan. However, the political, social and economic landscape can change in ways not currently foreseeable and recommendations that seem daunting today may become more reasonable to achieve in the future.</p> <p>The Steering Committee considered lots of concepts and ideas. Some ideas were included and some were excluded. It is acknowledged that some parts of the plan would require state legislative changes.</p>	No change recommended.

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35	Preferred Growth Area	The County's Preferred Growth Area (PGA) should also include the entire Urban Growth Boundaries (UGB) otherwise the towns will be controlling the growth.	Future Land Use Map Note 3: "Areas within the Urban Growth Boundary are considered a growth area. For property shown within the Urban Growth Boundary of this map, particularly those shown as Rural/Agriculturally zoned, it is expected that upzoning or Zoning Map Amendments will occur when there is adequate public services to those locations. The policies and goals of the Envision Jefferson 2035 Plan emphasize that properties within the Urban Growth Boundary should be annexed into the municipalities with jurisdiction over the Urban Growth Boundary. The plan does not prevent a property owner within an Urban Growth Boundary, but not annexed into a municipality, from developing using Jefferson County's land development guidelines."	<p>There are both "Preferred Growth Areas" (PGAs), which are designated growth areas within the County's jurisdiction, and Urban Growth Boundaries (UGBs), which incorporate certain municipalities and their potential annexation areas.</p> <p>The draft Comprehensive Plan does permit a landowner to develop within the UGB and remain under the County's jurisdiction. Both the Future Land Use Map and the text of the Plan clearly state that this is an option for the landowner. A landowner within an UGB may annex into the city, but it is not required.</p> <p>The idea that municipalities will be controlling growth is not representative of the Plan's policies and recommendations.</p>	No change as the comment is addressed by the draft Plan.
36	Preferred Growth Area	The PGA should at least be the entire 340 Growth Area as shown in old (2004) Comp Plan.	Future Land Use Map	<p>A significant portion of the 2004 Comprehensive Plan growth area is included within the Ranson and Charles Town Urban Growth Boundaries (UGBs). Another sizable portion of this area is designated as a "Residential Growth Area", which is shown as Future Low Density or Medium Density Residential on the Future Land Use Map, and is discussed in the text.</p> <p>The Steering Committee as a group, by consensus agreed that the 340 East PGA should support development at the nodes or intersection of U.S. 340.</p>	No change recommended.

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				The concept of the 340 Growth Area as shown in the 2004 Comprehensive Plan was not upheld when a similar sized 340 growth areas was considered for the draft U.S. 340 East Gateway Corridor Plan.	
37	LESA/CUP Process	The Plan should clearly state that CUPs and LESA are eliminated for residential subdivisions in the large, rural area, since CUPS and LESA will only be allowed for non-residential growth in rural areas.	<p>Land Use and Growth Management Element Rural/Agricultural Areas (pg. 24): "This Plan recommends that in the Rural Zoning District, the LESA system and the CUP process will be used exclusively for non-residential development projects."</p> <p>Section 1.B - Rural Land Use Planning Rural Land Use and the Agricultural Economy (pg. 37) "This Plan recommends amending the Zoning Ordinance to allow the use of the CUP in the Rural District for non-residential uses which are compatible in scale and intensity with the rural environment and that pose no threat to public health, safety and welfare."</p> <p>Section 1.B - Rural Land Use Planning Recommendation 4.b (pg. 41): "Amend the Zoning Ordinance to change the use of the Land Evaluation Site Assessment (LESA) Conditional Use Permit (CUP) process in the Rural Zoning District to be considered only in the case of compatible non-residential development; provided that CUPs based on a proposed agricultural use of land should not have to utilize the soils points."</p>	The Plan states in multiple locations that the LESA/CUP process is proposed to not allow residential developments in the Rural District. As noted in the "Section(s)" column of this matrix, this concept is included in the sections of land use, economic development, and agricultural sections of the draft Plan.	No change recommended as the public comment is addressed in the draft Plan.

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			<p style="text-align: center;">Section 2.E – Transportation (pg. 102): “This Plan proposes to change LESA in the Rural District so that it can only be utilized for non-residential uses.”</p>		
38	LESA/CUP	Supports the Plan’s recommendation to change from the LESA/CUP method to a cluster provision for residential development as described in Rural Land Use Recommendation #4 on Page 41.	<p style="text-align: center;">Section 1.B - Rural Land Use Planning Recommendation 4 (pg. 41): “Protect the viability of agricultural lands and wildlife corridors by encouraging the utilizations of cluster subdivisions as the preferred form of residential development within rural areas.”</p>	<p>The proposed change to the LESA/CUP method as found in the draft Plan reduces the uncertainty found in the existing LESA/CUP process.</p> <p>The LESA/CUP process in the draft Plan is proposed to be amended to permit commercial uses in the Rural Area, when compatible with uses in the Rural District but no longer used for residential subdivisions.</p>	No change needed as the public comment supports the goals and concepts found in the Plan.
39	Cluster Density	The change of cluster density in rural district to 1 lot every 5 acres requires that 50% of the land should remain in agricultural uses. It should say agricultural uses or open space or forest/woods, etc. That is typical for clusters in a rural district.	<p style="text-align: center;">Section 1.B – Rural Land Use Planning Recommendation 4.c (pg. 41): “Amend the Zoning Ordinance density provisions related to Cluster Developments to utilize an overall density of one unit per five acres, with a maximum lot size of 2.5 acres and a mandatory provision retaining a minimum of 50% of the original tract in agricultural uses, instead of allowing for rural residential development to occur using the LESA/CUP system.”</p>	Reasonable request	Amend the Plan to state that “The remaining 50% of the land should remain in agricultural use, open space, and/or forest/woods.”
40	Suburban Density	The Plan should allow for other densities (suburban) than just Urban Level and Rural.		In this Plan, Urban Level Development is intended to be served by water and sewer, and Rural development is expected to be on well and septic. The land use classification “low density residential” is expected to develop at one to three units per acre, which is typically considered a suburban density.	<p>No change, the draft Plan addresses this public comment.</p> <p>The Planning Commission may want to consider recommending additional residential zoning categories related to density and development patterns.</p>

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				<p>The Plan also delineates an area called “Residential Area” that specifically calls for “traditional” suburban housing development and is depicted as low density residential.</p> <p>There are a number of locations on the Future Land Use Map that permit traditional suburban housing developments. There is also the ability for parcels within the Urban Growth Boundary to develop in a suburban pattern within the County’s jurisdiction.</p>	
41	Design Guidelines	The options for Design Standards should be listed as incentives rather than requirements.	<p>Section 1.D - Community Design (pg. 49): “It is possible to include incentives for using the design standards, with or without the creation of an overlay district. A real potential and advantage of the design standards for a developer is that the reduced setbacks, greater building height, and increased commercial intensity and residential density are financial compensations over traditional development patterns.”</p> <p>Section 1.D - Community Design Recommendation 2.a and 6.a</p>	The Plan addresses this comment.	No change recommended.
42	Parent-to-Child and Child-to-Parent Transfers	The Plan should expressly recommend the continued use of Parent to Child and Child to Parent transfers and the 2 lots every 5 years provision in the rural area (regardless of size of parent parcel).	Section 1.B – Rural Land Use Planning	<p>This is already codified into the Zoning Ordinance, upheld by the Board of Zoning Appeals and is not proposed to change.</p> <p>The Comprehensive Plan is for future recommended changes, not to restate existing codified ordinance requirements.</p>	No change recommended. Has already been adopted.

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43	Rezoning Requests & Urban Growth Boundary	The proposed Plan does not seem to allow the Commission to entertain rezonings outside of the Urban Growth Boundaries. The code allows the Commission to make findings to permit rezonings and they shouldn't be limited by the Comprehensive Plan.	Section 1.A - Urban Level Development Area Recommendation 2.b (pg. 30): "If an employer or employment center meets the definition of "regionally significant" as defined in this Plan, is proposed contrary to the Future Land Use Map and/or the land use policies, the Plan map and policies shall be considered for amendment only via the same public process (public notice and public hearings) utilized during Plan adoption."	<p>WV Code 8A requires that the County Commission, with the advice of the Planning Commission, find that any Zoning Map Amendments are consistent with the Comprehensive Plan.</p> <p>The Envision Jefferson 2035 Plan is based on the premise that rezonings are permitted within the Urban Growth Boundaries (UGBs) and the Preferred Growth Areas (PGAs) in accordance with the Future Land Use Map. Much of what is shown on the Future Land Use Map, particularly in the PGAs, does require rezoning.</p> <p>State code further provides that if a proposed zoning map amendment is not consistent with the Comprehensive Plan, then the County Commission, with the advice of the Planning Commission, must find that there have been major changes of an economic, physical, or social nature in the area not anticipated by the Comprehensive Plan which have substantially altered the basic characteristics of the area.</p>	No change recommended. The draft Comp Plan either addresses the public comment or the request is already codified into state law and county ordinance.
44	Rezoning Requests	The proposed Plan limits the County Commission authority to grant rezonings as permitted and authorized by State Code.	Section 1.A – Urban Level Development Area Recommendation 2.a, 2.b, and 2.c (pg. 30): "Any property owner initiated rezoning/zoning map amendment shall adhere to the Future Land Use Map and the land use policies created as part of the Comprehensive Plan. a. Regardless of the future land use designation shown on the Future Land Use Map, in order for a	The Plan does not limit the County Commission's authority. The Plan provides guidance to the County Commission when a rezoning is initiated in order to clarify how the Planning Commission and the County Commission should use the Plan map and text recommendations to determine if a request is consistent with these recommendations.	No change recommended.

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			<p>property to be ready for a rezoning/zoning map amendment, require that reasonable access to public water and sewer or a plan to serve the site requesting rezoning be provided, and an adequate road abut the property.</p> <p>b. If an employer or employment center meets the definition of “regionally significant” as defined in this Plan is proposed contrary to the Future Land Use Map and/or the land use policies, the Plan map and policies shall be considered for amendment only via the same public process (public notice and public hearings) utilized during the Plan adoption.</p> <p>c. Require that all urban level residential and non-residential development and redevelopment efforts in the next two decades be focused on the municipal areas, including the Urban Growth Boundary (UGB) areas and the Preferred Growth Areas (PGAs).</p>		
45	Rezoning Requests	The proposed Plan prohibits the mixed use and residential growth districts from being requested for rezonings. That should be up to the County Commission as the legislative body charged with map amendments.	<p>Section 1.A – Urban Level Development Area Recommendation 14.b (pg. 34): “The existing Residential-Light Industrial-Commercial (R-LI-C) and/or the Residential Growth (RG) Districts will not be permitted to be requested as a zoning category once alternative zoning categories have been approved.”</p>	This is a policy decision that the County Commission will have to determine. The impetus behind the newly adopted commercial categories was that the Residential-Light Industrial-Commercial Zoning District is too broad of a category. The Residential Growth Zoning District would have to remain in effect until new residential districts were created. It	No change recommended.

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				<p>would appear to require a text amendment to the Zoning Ordinance to actually prohibit the further use of these Zoning Categories.</p> <p>The adoption of this Plan does not eliminate the use of either of these categories. A Zoning Ordinance text amendment would be required for implementation.</p>	
46	U.S. 340 Corridor East Gateway Plan Study	The proposed Plan states that the 340 East Study was implemented. Although the study was completed by the Planning Commission, it was never adopted or implemented by the County Commission.	History of Planning in Jefferson County (pg. 9) "...A third recommendation, implemented in 2010, was a study of the U.S. 340 Corridor East Gateway Plan focusing on land use, transportation, and viewsheds."	There is an error in the text. While the 340 Plan process was implemented in 2010, the Plan itself was not implemented.	Staff recommends amending the text to read: "A third recommendation that was considered, but not adopted by the County Commission, was the study of the U.S. 340 Corridor East Gateway Plan focusing on land use, transportation, and viewsheds."
47	340 South Alignments	The proposed Plan limits growth on 340 South to the area between the old and new alignment instead of both sides of the new highway. The complete area around the new road should be planned for growth.		<p>This was discussed by the Steering Committee and it was determined that the area between the "old" alignment, which is the current road path, and the new alignment would be most appropriate for future development. There is a large area zoned Industrial-Commercial on the west side of the old alignment which is nearly undeveloped at this time.</p> <p>The Plan notes the need to conduct a study, by the County Planning and Zoning Departments, of this area once the WVDOH presents a Record of Decision, which is a legally binding document that outlines exactly where the new alignment will be located. This was added into the Plan as there is some level of uncertainty regarding the final preferred alignment. The land use plan will be updated as a result of the recommended study once the record of decision is published.</p>	No change recommended.

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48	Buildable Lots	The proposed Plan includes a vacant lot inventory that should only include recorded lots, not lots that are in the 'pipeline'. This is not a good reflection of available lots.	Section 1.E – Housing (pg. 56)	There are developers who have vested rights and have some level of governmental approval for those lots to continue processing. It would be unfair to the applicants to state that their lots don't exist and it would not be representative of the number of lots that do exist with some level of approval.	No change recommended.
49	Legality of Plan Recommendations	The proposed Plan has many recommendations that are not legal or authorized by State Code (such as two tiered impact fees). Both Commissions and Legal Staff should eliminate these recommendations before adopting the Plan.		This Plan is intended to be both comprehensive and long range, and to establish a vision for the future of the County. It is reasonable to recommend ideas that require changes in State law for implementation.	No change recommended.
50	Plan Recommendations	The County Commission should leave to itself the task of prioritizing the "to do" recommendation list (maybe each year from a list of 5) as you are doing this year.		This is a policy decision for the County Commission to do an ongoing yearly basis. Typically, staff and Planning Commission prioritize the work plan for each fiscal year and present it to the County Commission for their approval.	No change recommended.
51	Plan Recommendations	The proposed Plan includes many recommendations that are economically impossible, impractical, or infeasible and should be eliminated to make the Plan more credible.		The Plan is intended to be comprehensive in nature and to set a long range vision for the County. It has been acknowledged in the public meetings that the Plan includes recommendations that may not come to fruition during the life of this plan. However, the political, social, and economic landscape can change in ways not currently foreseeable and recommendations that seem daunting today may become more reasonable to achieve in the future.	No change recommended.

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Comments Received at July 22, 2014 Planning Commission Meeting**

#	Topic	Request	Section and/or Current Language in Draft Plan	Staff Comment	Staff Recommendation
				The Steering Committee considered many concepts and ideas. Some ideas were included and some were excluded. It is acknowledged that some parts of the plan would require State legislative changes.	
52	Definitions	Add definitions for Brownfield and Greyfield	Appendix H – Definitions and Acronyms (pg. 245): “Greyfield: Older, economically obsolete development, commonly applied to malls, shopping centers, or large office complexes that are past their prime and are experiencing declining levels of occupancy.”	The Plan discusses in multiple areas the ability for brownfield and greyfields to be redeveloped into thriving centers for economic growth. Greyfield is already included in Appendix H	Staff recommends adding definition of “Brownfield”.
53	Appendices	Add the Green Infrastructure Assessment to the Appendices.	Goal #17, Objective #1 (pg. 217): “Based on the recommendations of the Jefferson County Green Infrastructure Assessment, designate priority natural resource protection areas within Jefferson County.” Section 1.D - Community Design Recommendation 3 (pg. 52): “Encourage the development of new neighborhoods that include green infrastructure standards and best management design principles.”	Reasonable Request	The Appendix in the document is full of resources. Staff suggests that a new appendix page be created entitled “Documents incorporated by reference.” The document list should include the following statement: “The Jefferson County Green Infrastructure Assessment is incorporated into the Envision Jefferson 2035 Plan by reference; however the full document is not included in this Appendix.”
54	Appendices	Reference the Access Management Ordinance	Section 1.D - Community Design Recommendation 4.d (pg. 52): “Adopt an Access Management Ordinance for arterial roads in Jefferson County.” Goal #12, Objective 8 (pg. 214): “Develop and adopt an access management planning tool for application in appropriate areas of Jefferson County.”	The Plan recommends that the County consider drafting and adopting an Access Management Ordinance for arterial roads. This Ordinance has not yet been developed; therefore, there is no document to reference.	Add definition of “Access Management” to Appendix H.

**Draft Envision Jefferson 2035
Comments Received at July 22, 2014 Planning Commission Meeting**

#	Topic	Request	Section and/or Current Language in Draft Plan	Staff Comment	Staff Recommendation
55	Appendices	Include the Blue Ridge Mountain Communities Area Watershed Plan in the Appendix, along with the document's Engineering Report.	Goal #18, Objective 2 (pg. 218): "Work with property owners on the Blue Ridge Mountain and the Blue Ridge Watershed Coalition to implement the recommendations of the Blue Ridge Mountain Communities Watershed Plan."	Reasonable Request	Appendix in the document is full of resources. Staff suggests that a new appendix page be created entitled "Documents incorporated by reference." The document list should include the following statement: "The Blue Ridge Mountain Communities Area Watershed Vision Plan and Engineering Report is incorporated into the Envision Jefferson 2035 Plan by reference; however the full document is not included in this Appendix."
56	Transfer of Development Rights (TDRs)	The proposed Plan states that the County should 'establish' TDRs instead of 'Study' the possibility of TDRs. The County and a committee have already determined that TDRs aren't the best tool available. The Plan should limit the use of 'shall' and 'should'.	Section 1.B – Rural Land Use Planning (pg. 37): "There exist a variety of tools and means to assist in the protection of lands with prime or statewide importance, soils and active farm sites. These tools range from policy, such as transfer of development rights programs, purchase of development rights, and land development standards that allow for flexibility of agriculture based uses and activities on the farm." Section 1.B – Rural Land Use Planning Recommendation 9 (pg. 42): "Establish a Transfer of Development Rights program for Jefferson County as identified in the 1986 Comprehensive Plan." Section 2.B – Agricultural & Rural Economy Recommendation 1.b (pg. 82): "Establish a Transfer of Development Rights program for Jefferson County as identified in the 1986 Comprehensive Plan."	Comments were received that the County should implement a TDR program and no input was received or documented that this had already been studied and rejected.	If documentation of the determination can be provided to the Planning Commission, the Planning Commission may want to consider modifying this recommendation.

Draft Envision Jefferson 2035
Comments Received at July 22, 2014 Planning Commission Meeting

#	Topic	Request	Section and/or Current Language in Draft Plan	Staff Comment	Staff Recommendation
57	Recognition of Historical Structures	The proposed Plan recommends that the Zoning Ordinance should recognize 4 levels of historical structures and various protection requirements. This is not practical and was not accepted by the public in the failed 2008 Zoning Ordinance.	<p>Section 3.A – Historic and Cultural Resources (pg. 120): “The JCHLC completed this inventory and classified historic resources into four different levels of importance. This Plan recommends building upon this inventory and the four levels of importance by amending the Zoning Ordinance to incorporate varying levels of protection.”</p> <p>Section 3.A – Historic and Cultural Resources Recommendation 4.a (pg. 121): “Collaborate with the JCHLC to develop and incorporate language into the County Zoning Ordinance that supports the JCHLC’s classification of the County’s historic resources into four different levels of importance and varying levels of protection.”</p>	While the failed Zoning Ordinance did include provisions related to the protection of Historic Structures, there is no evidence to suggest that this language lead to the defeat of the ordinance. This recommendation serves to slow the demolition of Historic structures for documentation and/or preservation efforts and is a reasonable recommendation.	No change recommended.
58	Suburban Residential Development	The proposed Plan essentially eliminates ‘suburban’ residential development. The Plan jumps from ‘Urban Level’ to Rural without transition. There should be other level of housing densities discussed.	Section 1.A – Urban Level Development	<p>In this Plan, Urban Level Development is expected to be served by water and sewer, and Rural development is expected to be on well and septic. The land use classification “low density residential” is expected to develop at one to three units per acre, which is typically considered a suburban density.</p> <p>The Plan also delineates an area called “Residential Area” that specifically calls for “traditional” suburban housing development and is depicted as low density residential.</p> <p>There are a number of locations on the Future Land Use Map that permit traditional suburban housing developments. There is also the ability</p>	No change recommended.

Draft Envision Jefferson 2035
Comments Received at July 22, 2014 Planning Commission Meeting

#	Topic	Request	Section and/or Current Language in Draft Plan	Staff Comment	Staff Recommendation
				for parcels within the Urban Growth Boundary to develop in a suburban pattern within the County's jurisdiction.	
59	Zoning Categories	The Urban Growth, Village, and Rural areas should be well thought out. Assess the suitability of each property to each development project, especially "Industrial-Commercial" zones in sensitive areas such as Long Marsh (Kabletown) and Harpers Ferry Quarry (Millville).	Land Use and Growth Management Element	Any proposed subdivision or site plan within Jefferson County will have to comply with all Zoning, Subdivision, Floodplain, Stormwater Management, and Building Code regulations and requirements, and will be reviewed on an individual basis as they are submitted. There are requirements to further protect natural resources found in the Natural Resources recommendations.	No change recommended.
60	Urban Level Development Infrastructure	"Urban Growth" needs to be developed along with real proposed & funded infrastructure which will service this development & the citizens for the future. Urban Growth will place the most demand on Jefferson County's systems & environment.	Section 1.A Urban Level Development Area Recommendation 2.a (pg. 30): "Regardless of the Future land use designation shown on the Future Land Use Map, in order for a property to be ready for a rezoning/zoning map amendment, require that reasonable access to public water and sewer or a plan to serve the site requesting rezoning be provided and an adequate road about the property." Additionally, recommendation 7 states (pg. 30): "Encourage the location of new infrastructure (such as water, sewer, utilities) within municipalities, UGBs, PGAs, or Villages."	The Plan recognizes this issue and plans for it throughout the document including the following locations: 7.a, c, & d.	No change recommended.
61	Rural Land Use and Historic Areas	Historic and rural areas need to be encouraged and aided to be sustainable, productive, economic participants in the County structure and future.	Land Use and Growth Management Element Section 3.A – Historic and Cultural Resources	The Plan has significant recommendations in the Rural Land Use Planning, Villages, Agricultural and Rural Economy, and the Historic and Cultural Resources sections that support and address this comment.	No change recommended.

Draft Envision Jefferson 2035
Comments Received at July 22, 2014 Planning Commission Meeting

#	Topic	Request	Section and/or Current Language in Draft Plan	Staff Comment	Staff Recommendation
62	Aging-in-Place	The County Commission should appoint an advisory committee to review national aging-in-place reports and make recommendations for a coordinated Jefferson county aging-in-place initiative.	<p>Section 1.E – Housing Recommendation 10 (pg. 65): “Work with state legislators to address housing, building codes, and aging related issues.”</p> <p>Recommendation 10.a (pg. 65): “To support the assisted and nursing homes permit process which may impact the feasibility of age-in-place or transitional housing communities in Jefferson County.”</p>	Reasonable request. Implementation of the age-in-place recommendation of the Plan.	Could be added as a recommendation under Section 1.E - Housing or as an implementation strategy.
63	Tiny Houses and Aging in Place	Implement an incentive program for contractors, handymen, developers, electricians, painters, plumbers, landscapers, and other trade professionals, to retrofit ranchers and small homes for aging-in-place current and future residents.	<p>Section 1.E – Housing Recommendation 7 (pg. 65): “Request the Partnership for Affordable Housing and the Eastern Panhandle Board of Realtors to collaborate in conducting a periodic “housing market needs assessment” to identify the construction/housing market’s needs, the range of unmet housing types, and the supportive programs that should be established in Jefferson County and the Eastern Panhandle.”</p>	Plan already addresses this comment.	No change recommended.
64	Tiny Houses / second dwellings	Amend current zoning requirements to allow very small homes and cottages that could be built as an “in-law” facility on any resident’s property.	<p>Section 1.E – Housing Recommendation 4 (pg. 64): “Allow for greater flexibility in the creation of accessory dwelling units and Tiny Houses.”</p> <p>Recommendation 4.a (pg. 64): “Allow detached accessory dwelling units based on lot size or density.”</p> <p>Recommendation 4.b (pg. 64): “Promote accessory dwellings in the UGB, PGA, or Village.”</p>	The Plan addresses this concept. However, implementation of this recommendation would require an amendment to the Zoning Ordinance.	No change recommended.

**Draft Envision Jefferson 2035
Comments Received at July 22, 2014 Planning Commission Meeting**

#	Topic	Request	Section and/or Current Language in Draft Plan	Staff Comment	Staff Recommendation
			Recommendation 4.c (pg. 64): "Research and consider the development of appropriate regulations to encourage the Tiny House concept in Jefferson County."		
65	Development	<p>Emphasize developing the unique historical, cultural, and natural resources of the County in general and Harpers Ferry in particular.</p> <p>Development along US Route 340 East should be conducted in a way that preserves the unique features of the area rather than industrial and commercial development. One quarry is zoned industrial and one is zoned Rural. These are perfect areas for tourist-friendly commercial development.</p>	<p>Cultural, Historic, Natural Resources, and Recreation Element (pg. 120)</p> <p>Land Use and Growth Management Element Quarry Redevelopment Area (pg. 21 & 22)</p>	Reasonable request.	Comment is supported by the Plan. If the Planning Commission was inclined, the Old Standard Quarry, which is zoned Rural, could be recommended for tourist friendly recreation development under the Quarry Redevelopment Areas discussion on pages 21 and 22.
66	Development	Growth in the currently defined growth areas or existing Villages is good planning which supports preservation of the key attributes of this area that define Jefferson County. Planned Growth in defined areas will help increase values of all land in the County.		Concept supported by the Plan.	No change recommended.
67	County Government Meetings	Jefferson County government meetings and public hearings should be available via IT means for the blind and hearing impaired.	<p>Section 5.D – Governance</p> <p>Recommendation 3 (pg. 156): "Provide electronic (live and/or taped) coverage of County meetings and workshops held in all</p>	All Jefferson County Commission, Planning Commission, and Board of Zoning Appeals meetings are broadcast live and archived on the County's website.	Consider amending Section 5.D - Governance Recommendations to include a recommendation 3.a to address the needs of the disabled population.

**Draft Envision Jefferson 2035
Comments Received at July 22, 2014 Planning Commission Meeting**

#	Topic	Request	Section and/or Current Language in Draft Plan	Staff Comment	Staff Recommendation
		Once a week/month a volunteer could read reports and transcripts for disabled residents at the public libraries.	locations.”	It should be noted that some of these concerns are addressed through services provided by volunteers such as the Good Shepherd Caregivers.	
68	General text edit / National Park Service	Change “National Historic Park” to “National Historical Park” Change “National Parks Service” to “National Park Service” not the plural “Parks”	Found in various locations throughout the document	Reasonable Request	Staff will make the requested corrections.
69	Access to Health Care	Include data on health care accessibility. Expressed concerns related to chronic illness and obesity.	N/A	Document does detail the need for recreation activities, both active and passive, for not only quality of life amenities, but also for healthy exercise.	No change recommended.
70	Legal	Have Legal Staff review the Plan for consistency to State Code 8A-3-4.	N/A	Reasonable request.	Legal should review the entire document before adoption by the County Commission.

From: [Paul Burke](#)
To: planningdepartment@jeffersoncountywv.org; patsynol@gmail.com; dmanuel@frontiernet.net; vinemont@frontiernet.net; walterpellish@mac.com; lynwidmyer@gmail.com
Subject: Comments on Comp Plan
Date: Monday, July 21, 2014 4:29:31 PM

I see a lot to like in the draft Comprehensive Plan. Here are two areas where more detail could help:

1. The plan lacks detail on costs, particularly for FIRE protection. The Finance section hopes for a diversified economy and recommends a fire fee, or fire+ambulance fee, but with no cost estimates.

Comment: Please add ballpark estimates for fire and ambulance fees, and ball-park estimates of total revenue streams from business property tax, residential property tax, fees and other sources. The county faces financial straits, and long term projections will be useful.

2. The plan admits there are TRAFFIC problems, while claiming overall improvements because of Rt.9 and new bridges. For remaining traffic jams the plan doesn't offer any help. It proposes more local businesses and housing, particularly in towns, which will increase traffic. It wants a bus between Shepherdstown and Charles Town, and feeder buses to MARC, good ideas, but without cost estimates (pp.114, 116). It does not discuss the option of "demand response" pickups in Jefferson, probably the cheapest way of serving the whole county. PanTran offers demand response in Berkeley.

Comment: Please add ballpark estimates for bus expansion, and include demand response service, which would serve our widely-scattered population more thoroughly and less expensively than bus routes. Costs from Berkeley County can guide planning for Jefferson.

Paul Burke, former President of the Planning Commission
304-876-2227
PO Box 1320
Shepherdstown

COMMENTS ON DRAFT COMPREHENSIVE PLAN

ENVISION JEFFERSON 2035

I AM VERY PLEASED BY THIS THOROUGH, WELL WRITTEN , ACCESSIBLE TO THE LAY PERSON, DRAFT OF THE NEW COMPREHENSIVE PLAN FOR JEFFERSON COUNTY. IT REPRESENTS COUNTLESS HOURS OF EFFORT FROM THE COUNTY PLANNING STAFF, AND THE CITIZEN VOLUNTEERS ON THE STEERING COMMITTEE. .

THE FUTURE LAND USE MAP IS A WONDERFUL RESOURCE TO HELP GUIDE DECISIONS BY BOTH THE PLANNING COMMISSION AND THE COUNTY COMMISSION.

AS A SHEPHERDSTOWN RESIDENT I WAS HAPPY TO SEE THE MAP AND DESIRED GROWTH AREAS AND THE INCLUSION OF CONSIDERATION OF TRAFFIC AND UTILITY SERVICES.

IT WAS A RELIEF TO SEE NOTED THE LIMITATIONS OF THE R-LI-C ZONING CATEGORY AND THE USE OF NEW, MORE CAREFULLY STRUCTURED SPECIFIC ZONING CATEGORIES. I AGREE WITH THE CONCEPT OF FOCUSING DEVELOPMENT IN AREAS WITH EXISTING SERVICES, AND ALSO MENTIONING THE IMPORTANCE OF MUNICIPAL COOPERATION, WHILE RETAINING THE CHARACTER OF OUR VILLAGES AND THE BEAUTY OF OUR LANDSCAPE.

TRAFFIC IS OF CONCERN AND IT WAS GOOD TO SEE THE IDEA OF COOPERATION OF THE DEPARTMENT OF HIGHWAYS WITH EXISTING HOMEOWNER ASSOCIATIONS TO HELP CONTROL TRAFFIC AND PROMOTE SAFETY.

RECOGNITION OF OUR ARTISAN AND AGRICULTURAL COMMUNITIES AND THEIR PARTICULAR NEEDS AND CONCERNS INDICATES ATTENTION TO ALL OF OUR CITIZENS. THE IDEA OF CLUSTER DEVELOPMENT TO HELP MAINTAIN GREENSPACE AND THE NEED TO CONSIDER AN ENTIRE COMMUNITY, NOT JUST LOOK AT ISOLATED PIECES, BUT THE BIG PICTURE ARE IMPORTANT CONSIDERATIONS.

THE HISTORIC AND CULTURAL RESOURCE SECTION MAKES NOTE OF THE WORK BY THE JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION AND SUGGESTS COORDINATION OF THE HLC WITH THE CVB AND LOCAL HISTORIC AND ARTS SOCIETIES. ALSO NOTED IS PROMOTION OF DIGITIZING COUNTY AND LOCAL RECORDS AND HISTORIC RESOURCES. THIS IS AN EFFORT IN PROGRESS AT THE COUNTY LEVEL AND ALSO IN SHEPHERDSTOWN WITH THE BEGINNING STEPS TO DIGITIZE THE ARCHIVES AT THE ENTLER MUSEUM UNDER THE CARE OF THE HISTORIC SHEPHERDSTOWN COMMISSION (HSC). WE EXPECT TO CONTINUE THIS WORK AND ALSO TIE IT INTO THE COUNTY EFFORTS VIA THE GEO EXPLORER PROGRAM.

THANK YOU FOR ALL YOUR TIME AND HARD WORK TO BENEFIT OUR COUNTY. I HOPE THIS IS ACCEPTED BY BOTH THE PLANNING COMMISSION AND COUNTY COMMISSION.

ELEANOR FINN
37 BUTCHER COURT
SHEPHERDSTOWN, WV 25443

James G. Gibson
201 Needwood Farm Lane
Harpers Ferry, West Virginia 25425

July 28, 2014

RE: Comments on Comprehensive Plan to the Planning Commission

The Steering Committee was a public group that spent a lot of time and effort condensing information for the Planning Commission and County Commission. Shareholder and public comment times were generously provided.

1. The Steering Committee was never told nor did they believe they were taking the place of the PC. If the Steering Committee knew that, I do not think they would have turned it over to the PC at this point.
2. The Steering Committee was a good clearinghouse that got a lot of the legwork out of the way for the PC and the CC. However, legal vetting, policy and political direction are now the next steps and should be done by the PC and CC.
3. There is no deadline based on the way the State Code is written. Otherwise, the current plan technically expired in June, 2014. Therefore, there is no need to have the plan completed by December 2014.
4. One of the only non-ministerial duties that the PC has is the preparation and approval of the Comp Plan. Everything else that they do is ministerial. Why should the PC rush their only significantly meaningful duty?
5. The 2004 comprehensive plan only had about 50 recommendations (and subparts of recommendations) and no land use map, yet the CC took over 6 months to review the PC's approved version. With no deadline, the PC and CC should now slow down and review the document carefully.
6. This proposed Plan has hundreds (over 500) of recommendations (and subparts of recommendations). This is way too ambitious and includes many things that don't even belong in a comprehensive plan (i.e. CC terms should be 4 years instead of 6 years). Many can be removed simply based on: no jurisdiction, illegal or unconstitutional. Every previous commission that worked on a Comp Plan took the time to remove the recommendations that just don't belong in the plan.
7. The County Commission needs to look at the practicality of the Plan from a budgetary standpoint. This is required by State code 8A-3-4b parts 2, 3, and 4.
8. Through the budget process, the CC has the best idea of how much money the County has available and how the people of the County want it spent.

RE: Comments on Comprehensive Plan to the Planning Commission (pg. 2)

In my opinion:

1. The Jefferson County's Preferred Growth Area should also include entire UGBs otherwise the towns will be controlling the growth;
2. The Preferred Growth Area should at least be the entire 340 Growth Area as shown in old (2004) Comp Plan;
3. The Plan should clearly state that CUPs and LESA are eliminated for residential subdivisions in the large, rural area, since CUPs and LESA will only be allowed for nonresidential growth in rural areas. Farmers supported the 1988 Zoning Ordinance because of the option for CUPs;
4. The change of cluster density in rural district to 1 lot for every 5 acres requires that 50% of the land should remain in agricultural uses. It should say agricultural uses or open space or forest/woods, etc. That is typical for clusters in a rural district;
5. The Plan should allow for other densities (suburban) than just Urban Level and Rural;
6. The options for Design Standards, Pages 48-53 should be listed as incentives rather than requirements. The extraordinary amount of recommended Design Standards is one of the reasons that the 2008 Zoning Ordinance was rejected by the public; and,
7. The Plan should expressly recommend the continued use of parent to child and child to parent transfers and the 2 lots every 5 years provision in the rural area (regardless of size of parent parcel). These are very important to the public.

The Planning Commission and County Commission should also note that the proposed plan:

1. Does not seem to allow the commission to entertain rezonings outside of the UGBs. The code allows the Commission to make findings to permit rezonings and they shouldn't be limited by the Comprehensive Plan;
2. Limits Rezoning: Page 30, recommendations 2a, b, and c. limit the CC authority to grant rezonings as permitted and authorized in the State Code;
3. Prohibits the mixed use and residential growth districts from being requested for rezonings. Again, that should be up to the County Commission as the legislative body charged with map amendments;
4. States that the 340 East Study was implemented (page 9). Although the study was completed by the Planning Commission, it was never adopted or implemented by the County Commission;
5. Limits the growth on 340 S (W) to the area between the old and new alignment instead of both sides of the new highway. The complete area around the new road should be planned for growth;
6. Includes a vacant lot inventory on page 56 that should only include recorded lots, not lots that are in the 'pipeline'. This is not a good reflection of available lots;
7. Has many recommendations that aren't even legal or authorized by state code (such as two tiered impact fees). Both Commissions and Legal Staff should eliminate these recommendations before adopting the Plan;
8. Includes many recommendations that are economically impossible, impractical or infeasible. Again, these should be eliminated to make the plan more credible;
9. States that the County should 'Establish' TDRs instead of 'Study' the possibility of TDRs. The County and a committee have already determined that TDRs aren't the best tool available. The plan should limit the use of 'shall' and 'should';

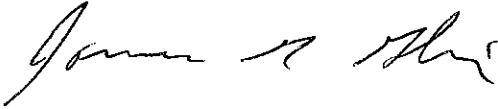
RE: Comments on Comprehensive Plan to the Planning Commission (pg. 3)

10. Recommends that the Zoning Ordinance should recognize 4 levels of historical structures and various protection requirements. This is not practical and was not accepted by the public in the failed 2008 Zoning Ordinance; and,
11. The proposed plan essentially eliminates 'suburban' residential development. It jumps from 'Urban Level' to Rural without much transition. There should be other level of housing densities discussed.

In summary, I would suggest:

1. That the County Commission publicly state that there is no deadline.
2. Have Legal Staff review the Plan for consistency to State Code 8A-3-4.
3. Remove any sections that just don't belong in the Comprehensive Plan. Eliminate provisions which are economically or politically unattainable.
4. The County Commission should leave to itself the task of prioritizing the "to do" recommendation list (maybe each year from a list of 5) as you are doing this year.
5. To prevent confusion the Planning staff should not start any projects without a written directive from the County Commission or the Planning Commission.

Sincerely,



James G. Gibson

Member-at-large – Comprehensive Plan Steering Committee

Cc: Jefferson County Planning Staff
Jefferson County Commissioners
Jefferson County Planning Commission
Steve Stolipher, President Jefferson PC

From: [Jeffrey Gustafson](mailto:Jeffrey.Gustafson@jeffersoncountywv.org)
To: planningdepartment@jeffersoncountywv.org
Cc: [Patsy Noland](mailto:Patsy.Noland@jeffersoncountywv.org); [Dale Manual](mailto:Dale.Manual@jeffersoncountywv.org); vinemont@frontiernet.net; walterpellish@mac.com; [Lyn Widmyer](mailto:Lyn.Widmyer@jeffersoncountywv.org)
Subject: Light pollution guidelines needed for the whole county in this comprehensive plan
Date: Tuesday, July 22, 2014 8:14:06 PM

Hello,

Please help protect our wonderful starry nights and peaceful sleep from light pollution!

Living in a relatively rural part of Jefferson County, I love being able to clearly see the many stars in the night sky because currently I have little to no light pollution obstructing them. Further, it is very nice to be able to go to sleep at night without using blackout blinds. However, I am concerned about the potential of light pollution from new development along Route 9. I don't live far off of the Luther Jones exit. With the current lack of guidelines, the construction of a big box store or major warehouse could drastically alter the night sky for miles beyond its commercial or industrial zone causing a nuisance for me and many others.

With all the great advancements in lighting, light pollution is no longer a necessary evil for growth. There are many excellent targeted-lighting options for developers along with easy to follow zoning guidelines already in use around the United States. And these types of guidelines attract better developers and development, which provides for better property values and tax revenue.

We need guidelines with a range of options from minimal limits in urban areas to higher limits near rural areas. Such guidelines have been developed with expert consultation and years of study by the International Dark Sky Association. For example, one model has five lighting zones that correspond with land use zones to provide the appropriate lighting use. And we're not talking about use of regular lighting around a house, but the use/restriction of commercial/industrial lights, street lights, parking lot lights, and highway lights around residential and rural areas.

It should be a no brainer to limit the kinds of permanent/longterm lighting in new developments that would trespass far beyond the owner's property. There are some special situations that need to be permitted, such as lighted attractions at the Jefferson County Fair and other special brief events around the county, but those temporary events are easy to incorporate because they don't cause a permanent disturbance. Further, existing sources of regular light pollution in the county, like the Casino's Race Track, would only need to follow the new guidelines if they seek to build something with a new source of light population beyond what they already have.

It should be a top priority to protect our wonderful rural starry nights from skyglow. Unfortunately, no guidelines exist in the proposed comprehensive plan. I was very happy to see in the Natural Resource Recommendations, starting on pg. 128, recommendation 1c: to develop lighting standard recommendations based on the International Dark Sky Association guidelines. However, that recommendation to develop some recommendations won't happen in time to shield rural areas. The suggested goal is to develop them within the next **two decades!** And once developed, they still won't apply to most rural areas, because the focus of those recommendations are on designated natural resource areas.

Please incorporate significant light pollution guidelines for the whole county into this comprehensive plan. Thank you for your time.

--

Regards,
Jeffrey Gustafson

Dear Jefferson County Planning Commissioners,

July 28, 2014

I am a vision impaired/legally blind retiree living in Ranson. I moved here from Silver Spring, Montgomery County, MD, just four years ago.

Through a relative's departure from the area, an opportunity to occupy my current home materialized. So I found Jefferson County and its limited aging-in-place support services by default, not through careful research and planning. My need for affordable housing was met but I'm faced with maintaining it on a limited disability/retirement income, while also meeting medical needs and costs. From my point of view, Jefferson County is not planning for current and future disabled community needs.

I have had many sections of the Envision Jefferson 2035 Comprehensive Plan read to me. My suggestions and observations are included here, with the hope that my points will be included in the implementation strategies, within the applicable sections:

DISABLED POPULATION SURVEY NEEDED

I have been told that Johns Hopkins has published a study on current and future disabled community needs and that is surely not the only resource available. Jefferson County Commissioners should appoint an advisory committee to review national aging-in-place reports and make recommendations for a coordinated Jefferson County aging-in-place initiative.

The term...**aging-in-place**...should include all County residents who face the same logistical, financial and medical services hurdles and categories of needs and should include...retirees, 'baby-boomers', elderly, disabled, home-bound, handicapped, etc.

HOUSING:

The County should institute an incentive program for contractors, handymen, developers, electricians, painters, plumbers, landscapers and other trade professionals, to retrofit ranchers & small homes for aging-in-place current and future residents.

The County Commissioners should review and amend current zoning requirements to allow very small homes and cottages that could be built as an 'in-law' facility on any resident's property.

SUBSIDIZED HOUSING REQUIREMENTS:

Many subsidized housing complexes currently don't allow for smoking or pets. That discriminates against the older demographic age group - those most likely to smoke & own pets and who seek that category of housing. Jefferson County Commissioners should review this situation to determine how subsidized facilities can become more universally available, if more like facilities will be needed and regulations governing home health care.

AGENCY ON AGING

The local Agency on Aging doesn't serve meals diabetics can eat. Which raises the question - is the local Agency adequately funded & staffed to meet future needs?

TRANSPORTATION

- EPTA plans and expansion should be supported by the County and with increased funding.

- EPTA should have disabled transportation accessibility options clearly understandable as the services expand. Ex: Currently, one can call for pick up but return trip coordination is frequently difficult or impossible to arrange.
- Implement a chit & tipping system that could be adapted in Jefferson County.
Establish an auto checking account deductions, pre-paid chits bought & used, cash tipping to drivers which would aid seniors & disabled who can't frequent ATM, banks, etc; (research the Montgomery County, MD system in use)
- Institute a local taxi 'monthly subsidized day' for disabled & elderly residents (that should be financially sponsored by the County's medical community & provide low costs or no costs transportation – underwritten by doctors, drug stores & Wal-Mart, eye & ear doctors & stores, rehab clinics, dentists, hearing, hospital & emergency clinics, etc)
- Elderly and disabled residents have no transportation options at nights or weekends - which eliminates attending community events, civic meetings, farm markets, high school events, dining out, holiday celebrations, etc.

OPEN ACCESS GOVERNMENT

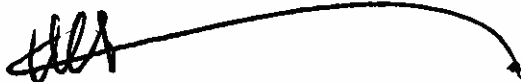
- Jefferson County government meetings and public hearings should be available via IT means for the blind and hearing impaired.
- Once a week/month a volunteer could read reports and transcripts for disabled residents at the public libraries.

BENCHES & MORE AMMENITIES:

- Benches & covered public waiting areas could be sponsored by businesses in the municipalities and villages. They are needed by all categories of residents and could be used while a resident waits for a bus or taxi services to arrive.
- Shopping center discounts/days/hrs should match transportation availability.
- Farmers markets & many resources don't have phone numbers which prohibits the disabled & elderly residents from confirming product availability, prices, time, dates, rain dates, etc when contact is only available via computer (most disabled citizens don't have computer access)
- The Jefferson County Commissioners and the Chamber of Commerce should jointly study how the elderly and disabled are not on computers and cells phones and how that limits the disabled community's commercial, transportation and shopping options.
- Fire house dinners and community fundraising dinners could be delivered to disabled residents via pre-payment
- Disabled residents frequently only have cash or check cards not credit cards – a factor that should be made aware too all Jefferson County commercial resources.

Please accept and enter these comments and suggestions with the other public comments received on July 22, 2014. I couldn't arrange bus transportation for that evening.

Thank you,



Mary Hamilton
403 West Fourth Street
Ranson, WV 25438

From: Cheryl Keyrouze [mailto:clkeyrouze@gmail.com]
Sent: Wednesday, July 23, 2014 12:09 PM
To: Jennifer Brockman
Subject: Re: Transit Development Plan

I thought giving the Planning Commission a copy of this scope (and later, the approved TDP plan) would give them somewhat of an education on what our transit authority is responsible for within Jefferson County. Also, I am of the opinion that the Planning Commission should have what we, EPTA, is responsible for incorporated into the final Comp Plan, in addition to what they see as Jefferson County's role as a partner, in planning terms.

And vice versa, our consultants for EPTA's TDP will be looking to Jefferson County Planning for information as well.

Thanks!

Cheryl Keyrouze,
Executive Director
EPTA
446 Novak Drive
Martinsburg, WV, 25405
304.263.0876 (O)
518.583.7897 (C)
clkeyrouze@gmail.com (E)



EASTERN PANHANDLE TRANSIT AUTHORITY

TRANSIT DEVELOPMENT PLAN –

SCOPE OF WORK

PREPARED FOR:

HAGERSTOWN/EASTERN PANHANDLE MPO



PREPARED BY:

MICHAEL BAKER JR., INC.

with

FOURSQUARE INTEGRATED TRANSPORTATION PLANNING, INC.

REINSEL KUNTZ LESHER, LLP

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PROJECT MANAGEMENT PLAN

In support of the Hagerstown/Eastern Panhandle Metropolitan Planning Organization (HEPMPO), Michael Baker Jr. Inc. (Baker), Foursquare Integrated Transportation Planning (FITP) and Reinsel Kuntz Leshner, LLP (RKL) appreciates the opportunity to submit this scope of work for the development of the Transit Development Plan (TDP) for Eastern Panhandle Transit Authority (EPTA). Baker will develop the five year strategic plan, provide project management and oversight throughout the development of the TDP and assist in critical tasks. FITP will perform the technical analysis and develop the TDP working closely with EPTA’s Director. RKL will perform the EPTA organizational review and economic analysis for developing strategic directives for the agency.

This scope provides a comprehensive update of the TDP that will meet the Title VI and MAP-21, West Virginia Department of Transportation, Division of Public Transit (DPT), and Federal Transit Authority (FTA) requirements. The TDP will help define new transit demands and investments within the service area of both Berkeley and Jefferson Counties (including the towns of Bolivar, Charles Town, Harpers Ferry, Hedgesville, Inwood, Martinsburg, Ranson, Shepherdstown, and Spring Mills), Hagerstown, MD, and Winchester, VA, either within the towns or to the town limits. The TDP will utilize and integrate data from the recent HEPMPO Long Range Transportation Plan (LRTP) update into this planning effort.

The Baker team understands of the agency’s needs and has successful experience with similar projects. Our approach will utilize on-going EPTA activities and build upon EPTA’s recent charrette recommendations as well as gathering critical stakeholder and public input to better understand the area’s transit needs. Our team will work closely with the HEPMPO and EPTA staff and the identified stakeholders acting as a Steering Committee. The Steering Committee will provide input and feedback at key points during the development of the TDP which will greatly enhance the successful implementation of the final recommendations. Representation on the Steering Committee will be selected by EPTA and HEPMPO and should include local towns, municipalities and counties, select members of the EPTA Board, and other human service providers. The Baker Team will conduct three meetings with the Steering Committee to review work progress at key milestones during the planning process. The following table summarizes the eight tasks and key deliverables for our proposed scope of services:

Task No.	Tasks	Deliverables
1	Strategic Business Plan	Strategic Business Plan
2	Organizational Review	Technical Memorandum
3	Data Collection Needs	Meeting minutes, Survey Results
4	Existing Conditions Report and Trend Analysis	Existing Conditions Report
5	Peer Review	Peer Review Assessment
6	Review Goals and Objectives	Updated Goals, Objectives and Performance Standards
7	Route Level Assessment	Performance of Existing Transit System
8	Service Needs and Recommendations	Capital Program and Implementation Plan
9	Transit Development Plan Report	Draft and Final Reports

TASK 1: STRATEGIC BUSINESS PLAN DEVELOPMENT

OVERVIEW

A strategic business plan is an agency-driven document that sets the mission, vision, and key performance metrics for future agency growth. Moreover, the plan is the Board's blueprint to the future EPTA, while the Transit Development Plan (TDP) developed in subsequent tasks represents management's blueprint for the day-to-day operations of the agency. EPTA's strategic business plan will provide a 5-year management direction for success and will align the agency's administrative and capital needs with budget constraints and project the needs gap to meet the future vision. The strategic business plan will be developed over a series of facilitated discussions with EPTA's governing board, management, and stakeholders.

APPROACH

The consultant will work with EPTA's governing board and management to develop an agency-driven strategic business plan. Prior to beginning the task, EPTA will assemble a strategic planning workgroup that will serve for the duration of the plan development. The primary purpose of a transit authority governing board is to set the direction for management to implement; as such the composition of the workgroup should primarily consist of board members.

The strategic business plan will be developed over the course of three (3) workgroup meetings at EPTA's facility. These meetings will be 2-4 hours in duration, dependent on the size of the workgroup, participation, and agenda. The first two meetings will be held in close proximity and represent the bulk of the planning process. The third meeting will function as a review meeting of the draft strategic business plan. The entire planning process will be completed in 6-8 weeks.

The strategic business plan will follow the general outline identified below:

- 1) Where we are now and in what direction are we heading?
 - Conduct three independent Strengths, Weaknesses, Opportunities, and Threats (SWOT) analysis with EPTA staff, the Berkley and Jefferson County Commissions representatives, and the EPTA Governing Board. The three SWOT analyses will be completed in one (1) day during multiple sessions.
 - Interview WVDOH Division of Public Transit (DPT) to gain perspective of EPTA
 - Conduct a situational analysis to identify customers, markets, and trends affecting EPTA with the workgroup
- 2) Where do we want to go?
 - Develop a mission statement to set EPTA's focus and direction
 - Define a shared vision for the future of EPTA
 - Align SWOT outcomes with EPT's Goals and Objectives
- 3) How do we get there?

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- Develop key performance metrics to ensure an outcomes-based plan
- Identify Strategic Drivers (what drives the business model, e.g., FTA finding, local match, etc.)
- Identify tactical initiatives and specify measures for each
- Identify resource needs and project EPTA's 5-year budget annually

At the conclusion of the planning process, a draft EPTA Strategic Business Plan will be developed and presented to the working group for review and comment. The plan will feature measurable strategic goals and objectives that are tied to a realistic 5-year projection of EPTA's budget and contain a timeline with key milestones that identifies that lead staff member/ stakeholder. The plan will form the foundation of the TDP, which focuses on the short-term and long term operational improvements to increase efficiency and enhance service.

DELIVERABLE

- The Baker team will develop a Strategic Business Plan that will be a stand-alone document and can be incorporated as an appendix to the final TDP.

TASK 2: ORGANIZATIONAL REVIEW

OVERVIEW

This task will focus on the economic and business portions of EPTA operations. RKL will review the current organization structure, activities and existing plans to evaluate the existing functions of EPTA and identify potential efficiency and structure improvements. The project team will lay out strategic process for evaluating capital investments and financial decision-making.

APPROACH

RKL will review EPTA's existing documents, plans and polices to conduct the organizational review to include the following:

- Organization charts;
- Board composition;
- Board committees;
- Board reports and minutes;
- Press releases;
- Bidding and procurement policies and procedures;
- Policy and procedures manuals;
- Financial statements;
- Operating budget;
- Capital budget;
- Cash management policies;
- Employee manual;

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- Wage and salary administration plan and performance evaluation program; and
- Position descriptions.

The organization review will focus on overall structure, employee compensation and responsibilities, the Board composition and expectations. The process will:

1. Evaluate the Transit Agency's current organizational structure with emphasis on strengthening all functions and improving efficiency throughout the Organization.
2. Obtain detailed job task information from all employees to evaluate staffing, workflow and needs. We will observe daily departmental activities and workflow and conduct personal interviews with each member of the staff.
3. Evaluate the quality and effectiveness of existing policies and procedures in terms of satisfying the operating needs of the Transit Agency and the needs of the riders. We identify areas or functions where improvement can be achieved.
4. Develop a revised organizational structure that has well-defined functional responsibilities and clear lines of authority among members of the management team and within each of the departments. We will make recommendations for implementation and timing. We will also develop recommendations for changes in such areas as reporting relationships, levels of authority, redefined job positions and the need for new positions.
5. Develop a summary budget for the proposed organizational structure.
6. Develop summary position descriptions for each new and modified position in the Transit Agency's organizational structure.
7. Review Board composition, qualifications, experience and Board meeting minutes, and conduct interviews with Board members to discuss Board responsibilities, terms, expectations, the role of committees and organizational needs.
8. Assess Board organization, meeting effectiveness, community representation, policy direction, board-management relationships, operations, performance, behavior, advocacy, and education/orientation
9. Review and document the information gathered during the interview process and develop recommendations for improvements.

Financial Planning Processes

RKL will review and assess the Transit Agency's financial policies and processes related to the following:

- General ledger account structure;
- Financial reporting;
- Annual budgeting;

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- Capital planning, evaluation and budgeting including (i) the evaluation, approval and acquisition of capital assets and (ii) depreciation policies;
- Employee compensation levels and performance appraisal systems;
- Evaluation and approval of new initiatives; and
- Strategic planning.

DELIVERABLE

- RKL will develop a Technical Memorandum that will be incorporated as an appendix to the final TDP. It will include goals and objectives, implementation options, recommendations, proposed timetable and the process for evaluating decisions for capital improvements.

TASK 3: DATA COLLECTION NEEDS

OVERVIEW

To initiate the TDP, the Baker team will gather all available data, including both quantitative and qualitative data. The data includes the most recent EPTA Service Evaluation Plan completed in 2006, the regional HEPMPO LRTP, recent studies and current ridership and route data from EPTA, data submitted to the National Transit Database (NTD), socio-economic data, financial performance and major activity center locations, EPTA driver and maintenance comments, stakeholder opinions, and the views from EPTA riders and the general public. Most of the data is readily available from EPTA, the HEPMPO LRTP update or from national data available on-line.

As part of the kick-off process and prior to the kick-off meeting, the Baker team will review the final data needs with EPTA to determine its availability and ensure that the latest regulations and requirements are fully understood at project initiation.

SUBTASK 3.1: KICKOFF MEETING

The project will start with a kick-off meeting with the project team, EPTA and HEPMPO staff. The purpose of the meeting is to review the scope, deliverables, meetings and schedule. We will also review the data readily available, identify additional data needs and work with EPTA to select the representatives serving on the Steering Committee and stakeholder focus group.

The Steering Committee will serve as a review and advisory group throughout the project that will review and comment on the project deliverables. The stakeholder focus group will be used during two working sessions, one in each county, to collect valuable transit insights, needs and opinions that will assist the development of the TDP.

SUBTASK 3.2: QUANTITATIVE DATA COLLECTION

Relevant demographic and socioeconomic data from the 2010 US Census will be gathered and summarized. This information will include data regarding the population (e.g. labor force, disabled, by age, by zero-car, by income, etc.) and employment in the region. In addition, the Baker team will

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assemble other commuting and travel characteristics from the American Community Survey (ACS) and CENSUS Longitudinal Employer-Household Dynamics (LEHD), utilizing available data from the HEPMPO LRTP where possible. This information will be used to define the transit demand characteristics of, and for determining transit propensity within, the EPTA service area. Berkeley County GIS/IT staff may provide support for these efforts.

This task will include a review of the transit system and route level data in an effort to define the transit supply provided by EPTA. The team will collect NTD data from online resources and request additional service level data from the agency as needed. The transit level information from both sources will include the following:

- Span and frequency of service, and route alignments;
- revenue and total vehicle miles and hours at the route and system level;
- vehicle usage by period;
- financial results over a five year period, including operating costs, revenue, and funding;
- estimates for the next five years if current trends continue;
- annual boardings for the system and per route over a five year period;
- fleet and facility data; and,
- EPTA administration, operation and maintenance employee information.
- Available demand responsive data

In an effort to quantify ridership data and on-time performance, the Baker team will perform an on-board ride count and schedule adherence check using either consultant team staff or temporary hires. The staff will ride each of the EPTA fixed route services and count passengers as they board and alight the transit vehicles. Concurrently, stop times will be noted in order to identify the actual travel time of the EPTA services, which will be checked against the published timetables and EPTA zonal data in order to calculate on-time performance.

The Baker team will review other recently completed studies within the study area and in neighboring communities to understand recommended and proposed changes to the route layout in the region. We will ensure that any transit recommendations will work seamlessly with other area proposals. Finally, we will carefully scrutinize the collected data for any inconsistencies and errors in an effort to assure the highest level of accuracy.

SUBTASK 3.3: QUALITATIVE DATA COLLECTION

The Baker team will perform a number of qualitative data collection efforts in order to provide a contrasting viewpoint to the quantitative data collected in the previous subtask. The team will hold driver interviews in order to gather the opinions of the people who deal directly with the transit services on a daily basis. We will collect comments regarding route alignments, possible service changes, transit and safety issues, and other items. We will also interview maintenance staff to gain a better understanding of what issues they deal with on a regular basis.

We will rely on previous studies and reviews to obtain qualitative data including the HEPMPO LRTP public / stakeholder input obtained through the MetroQuest survey, and EPTA's charrette's results and responses to their Triennial Review. We will also conduct two stakeholder focus group sessions (one in each county) to collect transit knowledge and opinions from a wide variety of transit generators. Appropriate persons and groups will be identified at the Kick-Off meeting, which would include government and social agencies, civic groups, hospitals and medical facilities, business groups, and educational entities, among others. We will rely on EPTA staff and HEPMPO to identify and contact the stakeholders, as well as to provide a location for the focus group sessions to take place.

Lastly, a passenger survey will be undertaken at the same time as the on-board ride checks. The survey will be printed on heavy stock paper and handed out with pencils as passengers board their transit vehicle. Surveys can either be completed on the vehicle, or filled out later to either be handed to the driver upon a subsequent transit trip, or mailed back to EPTA. After a period of time to allow for surveys to be completed and collected, the surveys will be coded and input into a database for use on subsequent project tasks.

TASK 3.4: PUBLIC INPUT SURVEY USING METROQUEST

The stakeholder and public outreach efforts will also utilize a MetroQuest web-based survey to receive valuable input and feedback. Similar outreach for the HEPMPO LRTP using MetroQuest proved very successful in both participation and receiving a unique perspective of the community needs. The focus is to solicit feedback on transit service needs, expansion areas, gain commuter information, review proposed goals and objectives, and overall opinions of the transit service.



The Baker team will work with EPTA and HEPMPO to design the MetroQuest interface and layout. MetroQuest will activate the website for 30 days and compile the results using their standard report templates. EPTA will identify the participants of the stakeholder outreach plan, which may include general public, business representatives and developers, city, county and state agencies and officials from the region. The project team will assist in developing the public announcements for the survey.

DELIVERABLE

- Conduct the TDP kick-off meeting and provide meeting agenda and minutes.
- Conduct and prepare materials for stakeholder focus group meeting.
- Technical Memorandum summarizing the MetroQuest survey, stakeholder focus group meeting results, data collection methodology, and data collected.
- Electronic database for future use by the HEPMPO and EPTA staff.

TASK 4: EXISTING CONDITIONS REPORT AND TRENDS

OVERVIEW

The data collected in Task 1 will be used to assess the current conditions of the transit system. The transit system's operational data will be used to perform a basic benchmarking process. The first step is to perform a trend analysis of the system's performance to understand the changes in the system's operations since the last service evaluation. This will be followed by an administrative peer review that will provide a comparison of EPTA's operational statistics to other similar transit providers selected by the Steering Committee. The peer review will provide EPTA valuable information on areas where potential improvements to their service could be made and a better understanding of how they are performing in various categories compared to similar agencies.

APPROACH

The Baker team will analyze the EPTA service area utilizing the collected socioeconomic and demographic data from the previous task. The assessment will look at transit demand populations in order to define transit need. We will detail significant origin and destination locations through a review of population densities and major generators. We will also review travel demand data in order to determine commuting patterns within the service area, as transit routes are often warranted along similar patterns.

The collected transit data will be used to assess the services that EPTA provides to meet the level of demand within the study region. This analysis will provide details on:

- Basic fixed / deviated route service information, such as the route alignments, span of service, and frequency of service
- Operating efficiency in terms of passengers per mile and per hour
- The system's fare structure
- On-demand transit services
- EPTA's physical plant and assets, including the vehicle fleet information

A plan for the future should recognize changes that have occurred during the past five years, and as such, a trend analysis will be performed in order to provide insight as to how the system has functioned during its recent history. A trend analysis can determine performance across various indicators over time and also whether performance is improving or declining. Moreover, the results of the trend analysis can prove useful in assessing the strengths and weaknesses of the current system. We will compile data over a five-year period for many of the key operating, ridership, and financial data items to accurately determine the current trend of important measures. The analysis will proceed in two steps. First, the performance measures to analyze the trends will be selected in consultation with EPTA staff and other study participants; and second, the statistical information will be analyzed.

An important element of the trend analysis is the selection of the performance indicators that will be the basis for analysis. We would suggest that the performance indicators be grouped into four distinct

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categories which reflect the relationship between system size, input of transit resources, output of service, and consumption of service.

The socioeconomic and demographic data will be graded and scored against various measures to determine the greatest areas of transit need within the EPTA service area. This information will be graphically displayed on a map of the region. The current transit services will then be overlaid onto this map to determine if the areas of transit need are being properly served. Major generators will also be placed onto this map to assure that they also have adequate service.

In addition, the Baker team will develop a profile of commuters within the EPTA service area and depict trends in commuting from and within the region. Information on tax revenue changes in the EPTA service area will also be reviewed and reported based on available data. Further, a regional profile of the labor force, including employed, unemployed, age, and income level will be produced.

DELIVERABLE

- Technical memorandum providing a comprehensive assessment of public transportation in the area and its performance. Demographic, commuting, and tax revenue trends will also be documented and reported in this report.

TASK 5: PEER REVIEW

OVERVIEW

This task will include two peer review efforts, one to compare and contrast system performance against transit agencies that operate similar transit services as EPTA and within a similar setting as the EPTA service area, and another to review the administrative functions of EPTA as they compare to the same peer group.

APPROACH

At the Kick-Off meeting, a list of peer agencies will be reviewed by the Baker team, EPTA and HEPMPO staff and will include a number of performance measures and service area statistics for each of the potential peer agencies. The peer grouping will include at least ten small urban agencies from Virginia, West Virginia, Ohio, Maryland, Delaware and Pennsylvania. From this group, five agencies that closely match EPTA will be selected to serve as the project's peer group.

SUBTASK 5.1: PERFORMANCE REVIEW

The peer group will be compared with EPTA in terms of the services that they provide and the results that they achieve. Ridership levels will be contrasted, along with service performance in terms of productivity measures such as passengers per hour, passengers per mile, vehicle utilization and service effectiveness. Financial indicators will also be compared including an analysis of operating costs, revenue and funding opportunities to determine cost efficiency of the EPTA system. The peer review will

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develop a narrative for each of the peers highlighting their successes and how, in general terms, that success results in economic benefit to their service area.

SUBTASK 5.2: ADMINISTRATIVE REVIEW

An administrative peer review will be performed to review EPTA's current administrative, operation and maintenance staff levels and responsibilities against the selected peer agencies. The peer agencies will be carefully vetted to assure a proper comparison can be performed. Any proposed recommendations will point towards industry best practices with a mind towards efficiency and effectiveness.

DELIVERABLE

- Technical memorandum providing a comprehensive assessment of comparing EPTA operations and performance to the selected peer public transportation agency

TASK 6: REVIEW OF EXISTING GOALS AND OBJECTIVES

OVERVIEW

This task will include efforts to review and update the existing goals and objectives developed in the previous service evaluation plan. This task is an important element of the overall process. The goals and objectives for public transit services will determine the type of service to be implemented as different market segments have different transportation needs. As goals are established defining which market segments will be given priority, the desired outlook of EPTA's transportation services will take shape.

APPROACH

At the kick-off meeting, the Baker team will review the existing goals and objectives and will lead the Steering Committee through several exercises to redefine the draft planning goals and objectives.

After completion of the Existing Conditions Report (Task 2), and the assessment of EPTA versus a collection of their peers (Task 3), the Baker Team will conduct a workshop with the Steering Committee to present the reports and to revisit the draft goals, objectives, and mission statement (the vision and values of EPTA). It may be appropriate to revise the goals and objectives based on current performance as well as the identified need. At this point we will also refine the existing performance measures for each objective and the corresponding performance standards.

Upon review and approval of the revised mission statement, goals, objectives, and performance standards by the Steering Committee, the updated goals and objectives will be used in evaluating the transit service options.

DELIVERABLE

- The Baker Team will facilitate the Steering Committee workshop to review and update the goals, objectives, and performance standards that will be used to evaluate the existing service and potential transit service options.

TASK 7: ROUTE LEVEL ASSESSMENT

OVERVIEW

Building upon the existing conditions analysis and updated goals and objectives, this task will evaluate the existing transit services on the route level to determine the performance of each route individually and as they compare to each other. Three analyses will take place congruently, which will include a route diagnostic analysis, an on-time performance analysis, and an assessment of vehicle maximum loads (i.e., high passenger performance).

APPROACH

The route diagnostic analysis will begin with the creation of a cost allocation model, utilizing a three-variable method that calculates system costs in terms of vehicle hours, vehicle miles and peak vehicles. This system recognizes the costs of operating service (i.e., vehicle hours), vehicle maintenance (i.e., vehicle miles), and administration (i.e., peak vehicles), and will calculate the system cost for each. These values will assist with the calculation of route level performance, which provides a means to gauge performance of each route individually and will allow for adjustments to the present system. Three evaluations tools will be employed to conduct the analysis:

- **Cost Centers** – The “profitability” of each route will be determined. Revenue is determined either from farebox revenue readings, while individual route costs will be calculated using the cost allocation model.
- **Ordinal Ranking** – This straightforward procedure allows routes to be ranked in order from best performance to work performance. Performance indices, such as productivity and financial measures, will be specified and appropriate values are computed for each route. Typically, the measures are computed on a rate basis rather than on aggregate statistics to facilitate a comparison of routes regardless of size. The routes are ranked and then summed for all measures to determine a score. In turn, this score is used to establish an overall ranking for each route for all the measures considered.
- **Strategic Planning** – This analysis procedure gauges route performance for two criteria: Deficit per Passenger, which indicates the extent of route subsidy for each boarding passenger; and Market Share, as defined as the ratio of each route’s passenger to the average number of passengers on each route.

A review of EPTA actual transit trip times will be compared to the published schedule times in order to determine the on-time performance of each route. Schedule adherence will be assessed at the route and segment levels, so that efficiencies can be recommended at several levels.

Vehicle usage will be assessed by comparing passenger boardings and alightings by stop with vehicle capacities. Segments where maximum loads are reached or exceeded will be described, while under usage of vehicles will also be pointed out.

DELIVERABLE

- Technical memorandum summarizing the performance of the existing transit system.

TASK 8: SERVICE NEEDS AND RECOMMENDATIONS

OVERVIEW

Based on the analysis conducted for EPTA and input received through the coordination efforts, the service needs and recommendations will be compiled into the TDP. The TDP will include an implementation plan that seeks to link transit investments into regional and local plans, agency responsibilities and identifies potential funding sources. It will identify near and long-term transit improvements, provide documentation of organizational needs, alternatives to be considered, service and capital improvements, a financial plan and analysis of financial capacity, identification of funding by project (including a list of unfunded improvements), and analysis of the consistency of proposed improvements with local comprehensive and planning initiatives. The TDP will explain the process used to prioritize improvements and address several areas of concern – including identifying methodologies to enhance regional transit connections and support broader, diverse and emerging transit corridors.

APPROACH

Up to this point the study tasks have been geared towards data collection and the analysis of the data. This portion of the project will facilitate the creation of transit service alternatives, which will include revisions of current route alignments, the introduction of new service models and the formation of routes that operate to emerging markets. These alternatives, when considered as a whole, will help direct EPTA's transit vision for the immediate future, as well as in terms of its long range vision.

SUBTASK 8.1: SERVICE PLAN

Based on the analyses and opportunities assessment, a set of service proposals will emerge from this process. These proposals will represent a wide range of potential service alternatives, from relatively minor to possibly major changes, and could include the introduction of new services. The array of both tactical and strategic proposals that our team will consider include:

- **Operating Strategies** – These changes seek a better balance between the demand for and the supply of service, such as:
 - New routing patterns to better meet current ridership patterns and increase directness of service to certain travel markets
 - New loop and/or circulation patterns through urban centers
 - Turnbacks or short-turning of buses to optimize equipment utilization
 - Route branching to possibly provide improved coverage in the region
 - Increased use of “user-friendly” practices, such as timed-transfers and clock-face headways
 - Route extensions to serve generators and neighborhoods without service

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- New bus routes to better serve existing service areas and to create connections to unserved regions
 - Span of service modifications to determine the possibility of expanding the hours of weekday and weekend operations
 - Enhanced frequency of service on existing bus routes
- **Schedule Adjustments** – These modifications are principally designed to increase ridership and operating efficiency and include:
 - Running time adjustments to improve on-time performance
 - Deadhead modifications to improve service efficiency and effectiveness
 - Schedule coordination to improve transfer connections between bus routes, both intra-agency and inter-agency
- **System Changes and Service Types** – This category of improvements is principally concerned with major changes and non-traditional service, including:
 - Shuttle routes that focus on major generators, terminals and/or activity centers
 - Downtown alignments and service patterns that reflect development/redevelopment patterns
 - Provision of “flex” route service, which could include either route or point deviation, and that combines features of fixed route and demand responsive services
 - Demand responsive service (i.e., dial-a-ride) for the general public and similar to that provided to special needs groups
 - New special purpose routes (e.g., park and ride route) that are oriented to specific markets
 - New fixed routes to serve fast growing portions of the region
 - Subscription services oriented to commuters and major employers.
- **Suggested Amenities** – These recommendations are for the street furniture and system technologies that will help support the service proposals, and include:
 - Shelters
 - Benches
 - Information Kiosks
 - Transit Technology (both to provide information to the public and for operators to collect data)
- **New Services** – Based on public feedback, stakeholder feedback, and the analysis of employment and commuter trends recommendations for services targeting commuters will be developed.
- **Safety** – Recommendations will be made at the stop level related to safety including access to the stop (sidewalks, path to the stop), ADA ramps at adjacent intersections, and lighting.

This section of the TDP will include the following:

- Route recommendations will include proposed service levels, including span of service and headways, and the necessary vehicles to operate the recommended plan.

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- Estimates of the expected ridership levels that EPTA can expect after implementation of the service and the fulfillment of a marketing plan.
- Approximate operating costs over a five year period, utilizing the Consumer Price Index (CPI) the help estimate future costs.
- Utilizing the estimated ridership numbers, we will calculate the expected fare revenues, which will help determine the deficit that funding will need to recuperate. Funding priorities and options will be defined and the potential of additional funding options will be discussed.
- Commuter bus options, marketing plan, and cost analysis.
- Identify high level community and economic benefits of the implementation plan.
- Technology investment opportunities and benefits.

SUBTASK 8.2: CAPITAL PROGRAM

Implementation of the service plan during the next five years may mandate revenue equipment, facilities, amenities and technological enhancements of the transit system. This task will include defining a capital program to address the service plan implementation. The capital program could include vehicle procurement for service expansion, which will be based on peak vehicle requirements, and allowance for spare vehicles. As part of this effort, we will indicate the types of vehicles necessary to provide the level of service and comfort desired. If the expansion of the fleet is warranted, it will include an assessment of the storage and maintenance facilities. We would anticipate that other major capital items could include additional improvements in order to increase multi-modal transfers. It is also anticipated that the plan would recommend various amenities, such as shelters, benches and information kiosks, that all help to improve the transit experience.

SUBTASK 8.3: IMPLEMENTATION PLAN

The sequence, duration and timing of the service plan and capital improvement program will be presented in an implementation plan. The staging of each recommendation will reflect the importance and priority assigned to each, as well as the availability of sufficient funding. The implementation schedule will identify the relationship between each of the plan components and any necessary lead times. Clearly, the staging of the proposals will be a major output of this plan element. The implementation plan will also identify support activities, such as marketing. This may include recommendations for improved public information regarding the service, as well as a time line for the development of those materials.

Lastly, we will define a performance monitoring program which will identify transit measures that will need to be monitored continually to determine the success of the recommendations. Data collection activities to monitor the results of implementing the alternatives will be specified. It will provide a mechanism to observe performance and make mid-course adjustments as necessary during the multi-year implementation process.

DELIVERABLE

- Technical memorandum summarizing the Capital Program, and Implementation Plan. Each element of this task will be reviewed by the project Steering Committee prior to the development of the final report. This will allow for a proper vetting of the plan items to assure that the recommendations meet the needs of the EPTA. After a review period comments will be collected and changes made to the plan as needed.

TASK 9: TRANSIT DEVELOPMENT PLAN REPORT

OVERVIEW

Upon acceptance of each task deliverable by EPTA and the Steering Committee, the final TDP report will be drafted incorporating the sections developed throughout the process. This task includes drafting the final report, review and incorporating comments, and finalizing the report. The Baker team will produce a TDP presentation for the Steering Committee and make two public presentations with EPTA to groups in Jefferson and Berkeley Counties.

APPROACH

The final report will include a standalone Executive Summary that can be used as part of EPTA's Marketing Plan.

An aggressive marketing program is essential for the success of the proposed recommendations. We will point out popular and well received transit marketing techniques, as well as other more aggressive marketing strategies. This could include an increased reliance on social media and mobile technology as alternative information sources, as there are countless new ways for potential passengers to access transit information. A glossy, visually attractive, and easy to understand Executive Summary of the TDP Final Report will be used to educate the public and stakeholders on the benefits of transit, particularly the economic benefits that transit brings through increased access and mobility.

The Baker team will make public presentations of the results of the TDP and benefits of increased and improved transit services to Jefferson and Berkeley Counties, Martinsburg, and Ranson.

DELIVERABLE

Draft and final TDP Report for EPTA and presentation the TDP to the Steering Committee. Throughout the report an effort will be made to highlight the economic benefits from a successful transit system. The Baker Team will provide two electronic (pdf) CD copies and two unbound original of the Draft Report. We will provide five bound copies and one unbound original of the Final Report. We will also provide the Final Report in electronic format (Adobe Acrobat) along with the various databases compiled during the course of this project and GIS files.

ATTACHMENT 1: BAKER TEAM COST ESTIMATE

Updated 6-11-14

EPTA Transit Development Plan Draft Budget - Labor Hours, Labor Costs, Total Costs

Baker Cost Estimate

Task/Activity	Project Manager	Principal	Task Leader	Senior Trans Planner	Trans Planner	Modeler	GIS Tech	Admin	Total Hours	Labor Dollars Total	Direct Expenses Total	Total Cost
Task 1: Strategic Business Plan Development	12			24	80		80		196	\$ 23,802	\$ 350	\$ 24,152
Task 2: Organizational Review	6				12				18	\$ 2,739	\$ -	\$ 2,739
Task 3: Data Collection Needs	16		32		20		20		88	\$ 12,975	\$ 8,025	\$ 21,000
Task 4: Existing Conditions Report and Trends									0	\$ -	\$ -	\$ -
Task 5: Peer Review	2			8	40		8		58	\$ 7,615	\$ -	\$ 7,615
Task 6 : Review of Existing Goals and Objectives				8	16				24	\$ 3,297	\$ -	\$ 3,297
Task 7 Route Level Assessment									0	\$ -	\$ -	\$ -
Task 8: Service Needs and Recommendations	4				4				8	\$ 1,292	\$ -	\$ 1,292
Task 9: Transit Development Plan Report	20		16	8	32				76	\$ 11,939	\$ 400	\$ 12,339
Baker TOTALS	60	0	48	48	204	0	108	0	468	\$ 63,659	\$ 8,775	\$ 72,434

Foursquare ITP Cost Estimate

Task 3: Data Collection Needs			12	32	132		160		336	\$ 28,369	\$ 700	\$ 29,069
Task 4: Existing Conditions Report and Trends			4	40	90		60		194	\$ 17,718	\$ 133	\$ 17,851
Task 5: Peer Review			8	24	54		16		102	\$ 9,957	\$ 10	\$ 9,967
Task 6 : Review of Existing Goals and Objectives			4	4					8	\$ 960	\$ 108	\$ 1,068
Task 7 Route Level Assessment			4	40	72		80		196	\$ 17,385	\$ 93	\$ 17,477
Task 8: Service Needs and Recommendations			4	40	52		60		156	\$ 14,172	\$ 283	\$ 14,455
Task 9: Transit Development Plan Report			4	40	20		30		94	\$ 9,166	\$ 500	\$ 9,666
Foursquare ITP TOTALS	0	0	40	220	420	0	406	0	1086	\$ 97,726	\$ 1,826	\$ 99,552

RKL, LLP Cost Estimate

Task 2: Organizational Review		12	60					16	88	\$ 17,160	\$ 500	\$ 17,660
RKL TOTALS	0	12	60	0	0	0	0	16	88	\$ 17,160	\$ 500	\$ 17,660
BAKER TEAM TOTALS	60	12	148	268	624	0	514	16	1642	\$ 178,545	\$ 11,101	\$ 189,646

ATTACHMENT 2: EPTA TDP SCHEDULE

Schedule									
	Months from Notice to Proceed								
	1	2	3	4	5	6	7	8	9
	July	August	September	October	November	December	January	February	March
Task 0 - Project Management Plan									
Conference Calls with Client PM	● ●	● ●	● ●	● ●	● ●	● ●	● ●	● ●	●
Project Management Team Meetings	○			○		○		○	○
Steering Committee Meetings		■				■		■	■
EPTA Board	■		■						
Task 1 - Strategic Business Plan Development									
Task 2 - Organizational Review									
Task 3 - Data Collection Needs									
Subtask 3.1 - Kick-off Meeting									
Subtask 3.2 - Quantitative Data Collection									
Subtask 3.3 - Qualitative Data Collection									
Subtask 3.4 - MetroQuest Survey									
Task 4 - Existing Conditions Report and Trend Analysis									
Task 5 - Peer Review									
Subtask 3.1 - Performance Review									
Subtask 3.2 - Administrative Review									
Task 6 - Review of Existing Goals and Objectives									
Task 7 - Route Level Assessment									
Task 8 - Service Needs and Recommendations									
Task 9 - Transit Development Plan Report									

From: Matt Knott [mailto:matt@riverriders.com]
Sent: Tuesday, July 22, 2014 12:26 PM
To: Seth Rivard
Cc: Jennifer Brockman; steve Stolipher
Subject: Re: Existing Conditions Map

Seth,

I see on the existing land use map that some of the things we talked about have been addressed regarding the campground and access points along the Shenandoah and Potomac which I appreciate. I did notice that the locations of our adventure park and mega-zip are shown as vacant commercial and I'd ask that they be shown as being used. Also the location of Historical River Tours is shown as vacant residential, and I'd ask that it be changed to commercial. We also have a few lots near our base that are shown as large lot residential and I'd ask that they be shown as residential or commercial.

Also my lot at the end of Knott Rd has a boat ramp and has been used for river access since the 1800's. Although it is private, I let anyone that wants to use it for free. You can show that as a river access point as well.

Thank you,

Matt Knott
River Riders, Inc
408 Alstadts Hill Rd
Harpers Ferry, WV 25425
800 326 7238
<http://www.riverriders.com>

DURING THE LAST TWO DECADES OF THE TWENTIETH CENTURY JEFFERSON COUNTY EXPERIENCED RAPID URBAN GROWTH INFLUENCED BY THE LOCAL URBAN GROWTH MACHINE—A MINIVERSION OF CORPORATE AMERICA COMPRISING THOSE MADE RICH, AND HOPING TO GET RICHER, BY PROMOTING MORE URBAN GROWTH. SAID MACHINE WAS DERAILED BY A REFORM MINDED COUNTY GOVERNMENT AND HELD HARMLESS BY THE DEFLATION OF THE NATIONAL “HOUSING BUBBLE”. NOW THE URBAN GROWTH CABAL WOULD LIKE TO REGAIN ITS PREEMINENCE VIA A COMPLIANT COMPREHENSIVE PLAN TO THEREBY EXTEND THE EXTRAVAGANT FOLLIES OF THE LATE TWENTIETH CENTURY INTO THE TWENTY-FIRST.

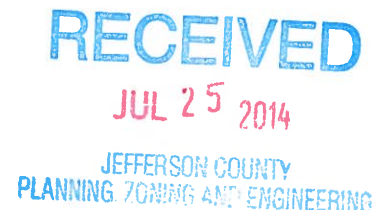
WHAT THE RESIDENTS OF JEFFERSON COUNTY SHOULD REALIZE BEFORE EVALUATING THIS DOCUMENT IS:

- 1) THE FULL IMPLICATIONS OF ENDLESS URBAN GROWTH TO THE COMMUNITY, i.e., MASSIVE IN-MIGRATION AND PROVISION OF EXPENSIVE INFRASTRUCTURE TO ACCOMMODATE THE NEW RESIDENTS; AND,
- 2) THAT THE MASSIVE PUBLIC DEBT CREATED BY THESE COSTS FALLS MOST HEAVILY ON EXISTING RESIDENTS AND WILL BECOME PART OF THE LEGACY OF ANY OF THEIR PROGENY WHO REMAIN IN RESIDENCE AS ADULTS.

ALL SAID, URBAN GROWTH IS THE WORST INVESTMENT ANY RURAL COMMUNITY COULD MAKE.

THE PROPOSED PLAN AIMS TO ACCOMMODATE SOME 15,000 TO 30,000 NEW RESIDENTS, I.E., 6000 TO 12,000 NEW HOUSEHOLDS, BY 2035. ESTIMATES OF PUBLIC COST RANGE FROM \$20,000 TO \$30,000 PER HOUSEHOLD. THEREFORE, ESTIMATES OF PUBLIC DEBT CREATED BY GROWTH ACCOMODATION WOULD BE:

\$120 MILLION MINIMUM, AND



\$192 MILLION MAXIMUM
FOR 15,000 NEW RESIDENTS,

WHEREAS FOR 30,000 NEW RESIDENTS ; PUBLIC COSTS WOULD ESCALATE
TO

\$240 MILLIONS MINIMUM
\$384 MILLIONS MAXIMUM

PRESUMABLY THE ACTUAL PUBLIC DEBT CREATED IN THE NEXT TWENTY YEARS WOULD BE WITHIN THESE PARAMETERS. IN ANY CASE, THAT DEBT WOULD BE VERY LARGE AND THUS ENDURING FOR A SMALL COUNTY LIKE JEFFERSON, PARTICULARLY WHEN ADDED TO THE PUBLIC DEBT CREATED DURING THE 1980'S AND '90S, WHICH STILL EXISTS THOUGH IT MAY NEVER HAVE BEEN ESTIMATED NOR RECORDED.

FUNDAMENTALLY THE LOCAL SITUATION COULD BE, OR MAY BECOME, FAR WORSE THAN SUSPECTED. DAMAGE INFLICTED BY URBAN GROWTH ON THE NATURAL LIFE SUPPORT SYSTEM—THOUGH HARD TO QUANTIFY—COULD BE FAR MORE COSTLY TO THE COMMUNITY THAN EVEN THE MASSIVE FISCAL IMPACTS. THE INEVITABLE DEGRADATION AND DEPLETION OF OUR NATURAL CAPITAL ASSETS, AND DIMINUTION OF THE VITAL LIFE-SUPPORTING SERVICES THEY PROVIDE, WILL RENDER THE LOCAL HUMAN ECOSYSTEM PROGRESSIVELY DYSFUNCTIONAL. BY THE TIME OF FULL BUILDOUT, JEFFERSON COUNTY WILL HAVE BECOME A VERY EXPENSIVE PLACE TO LIVE AND A PLACE THAT HAS BECOME FAR LESS LIVEABLE!

A. F. Fattore
July 22, 2014

Comment on Utilities in Envision Jefferson 2035

Draft Goals and Objectives

Susanne Lawton, GM, JCPSD

July 21, 2014

I think the vision created in the Envision Jefferson 2035 Draft Comprehensive Plan is beautiful and represents the dreams of present residents for their families and residents in the future. Everyone wants a thriving and vibrant community where there are homes for all economic levels, abundant jobs, business opportunities, excellent schools, restaurants and libraries. All of these things should be within predefined areas to eliminate the sprawl that may well occur without area planning. This plan is intended to create a statement of “realistic” goals and objectives which lay the groundwork for the implementation strategies of the vision.

The Future Land Use Map is clear and shows today’s version of the Urban Growth Boundaries of Ranson and Charles Town and where the County would like to see their future growth occur. Throughout this 20 page section of the Draft Goals and Objectives within the Envision 2038 plan, there are comments on 12 pages relating to planning growth where utilities already exist or to have the utility providers plan (or even require) that utilities be located in the Urban Growth boundaries, Villages, or inside the Preferred Growth Areas.

This indicates a number of things to me; First, that the members of the Steering Committee see the utilities as a necessary component for the health and welfare of Jefferson County residents, not just our existing customers. It also indicates that there is a misunderstanding of both the planning of water and sewer utilities and the ability of the County Government to regulate utilities. Public water and sewer utilities cannot control where growth occurs; it is the County’s land use documents, such as the Comprehensive Plan and Zoning Documents that should control where growth occurs. Once a utility knows where the County wishes growth to occur we can attempt to plan for it, but that requires lines, pump stations and related facilities to be planned for more capacity than needed for existing services and most importantly, we need a way to pay for these larger systems that doesn’t just come from our existing customers. The payment for these very expensive systems is the main problem.

In West Virginia the only money that the public utilities have to spend on extending service or upgrading facilities comes from the revenue of our customers. Presently we only serve about 2300 customers. Currently the water and sewer lines within new developments, and from the new development to connect with the existing system, are paid for by the Developers. In 2005 The District was one of the first Public Service Districts to acquire a Capacity Improvement Fee to help pay for necessary upgrades at the Charles Town Wastewater Treatment Plant. In 2009 The District received a \$7500 Capacity Improvement Fee to assist in paying for the Flowing Springs Wastewater Treatment Plant. Unfortunately, when that plant project was finally denied, the Capacity Improvement Fee was removed and I doubt that we will be able to attain another similar fee.

In Goal # 10, the document finally addresses the need to figure out how to attain the goals mentioned above. It seems critical to me to consider how this might be done before adoption of the goals listed above because it is a subject that the District and other small utilities have been struggling with forever. We need to increase our customer base to help pay for upgrades but we can't pay to upgrade the facilities to allow additional customers! We need the help of all of the residents in Jefferson County to pay for the upgrades to meet your goals for future growth and development. I would welcome a meeting with any of you who wish to meet and brainstorm on ways to reach the goals of the Envision 2035 Draft Plan.

From: [Lee, Andrew](#)
To: envisionjefferson2035@jeffersoncountywv.org
Cc: [Jennifer Brockman](#); [Seth A. Rivard](#); [Rebecca Harriett](#)
Subject: comments on "Envision Jefferson 2035" draft Comprehensive Plan
Date: Monday, July 28, 2014 1:33:27 PM

Dear Mr. Stolipher:

Thank you for the opportunity to comment on the draft Comprehensive Plan for Jefferson County, "Envision Jefferson 2035." There are several sections in the Plan that refer to tourism, economic development, preservation of historic and natural resources, and to Harpers Ferry as an historic gateway to the County. Commenting broadly on these matters below, I would like to share my perspective on these issues as they relate to Harpers Ferry National Historical Park. In consideration of my earlier input into the planning process and after careful review of the text, I offer the following comments.

First, the NPS opposes the establishment of the U.S. 340 East Preferred Growth Area (PGA) in the residential neighborhood of Campground Road. This largely residential area is poorly suited for expansion of commercial uses beyond the cottage industry-level that currently exists. The predominant character of the area is residential, rural, and historic and it should remain so.

In addition to its proximity to Park lands that are undeveloped and rural in appearance, the proposed PGA is an area of great visual significance. Further development here would adversely affect other historic areas that have commanding views of the area such as Bolivar Heights and Loudoun Heights. A PGA designation could potentially devastate the views from these historic lands where the park has trails, interpretive exhibits, and outdoor programs. The Plan speaks clearly to the importance of promoting the conservation of the natural, cultural, and historical resources and the preservation of the scenic beauty. Establishing the PGA at the eastern gateway to the County would run counter to that goal.

With respect to the proposed Quarry Redevelopment Areas, we support the concept of light recreational development that incorporates design standards that are sensitive to the topography, viewsheds, and their historical surroundings. If development is permitted at the former Old Standard Quarry, it should be limited to the former industrial area between the quarry lake and Millville Road.

The NPS generally supports the Plan's recommendations pertaining to transportation, on both regional and local scales. Regarding the improvement of transportation along U.S. Route 340 in the Harpers Ferry area, the NPS supports all efforts to promote traffic safety, improve traffic flow, and promote transportation alternatives. As a primary stakeholder in any future improvements, we stand ready to coordinate with

and support the efforts of state highway agencies in West Virginia, Virginia, and Maryland.

On a local scale, the NPS also supports the Plan's recommendations regarding expansion of bicycle and pedestrian pathways. We support the goal of promoting connectivity between the Park's trail system and trails in the county and surrounding municipalities. The plan rightly identifies the attendant benefits of safe exercise, improved health, and increased recreational tourism.

The Plan acknowledges that history tourism is a significant element of Jefferson County's economy. This is in part due to the tens of millions of dollars spent by the NPS and other preservation-minded groups to transform the Harpers Ferry area into a premier national and international tourist destination. A recent report estimates that in 2013 over 255,000 visitors to the Park generated more than \$11.9 million for the local gateway community (defined as a community within 60 miles of a park). This tourism supported 153 jobs and had a ripple effect on other sectors of the economy including restaurants, grocery and convenience stores, gasoline stations, and other museum and recreation attractions. Excessive, inappropriate, or poorly planned development at the very gateway to Jefferson County will have a negative impact on the tourism industry with long-lasting implications to the local, state, and regional economies.

Overall, the Plan does an admirable job promoting a vision of the future of Jefferson County. It wisely promotes growth and development that does not compromise the County's historic resources and scenic beauty. The plan rightly identifies Harpers Ferry as the eastern gateway into the state, and the first impression visitors traveling from the east have of West Virginia. This historic gateway is a key component of Jefferson County's identity and an important asset which draws visitors and residents alike. County, state and federal decision-makers therefore need to zealously guard the image of Harpers Ferry, an image that Thomas Jefferson described in 1783 as being worth a voyage across the Atlantic and one still very much in evidence today.

Finally, I wish to call your attention to two minor errors of nomenclature that occur in multiple places in the Plan. First, the federal agency operating the Park is the National Park (not Parks) Service. Also, the Park unit type for both Harpers Ferry and C&O Canal is a National Historical (not Historic) Park.

Thank you for the opportunity to comment.

Sincerely,

Andrew S. Lee

Andrew S. Lee
Resource Management Specialist (Lands)
Harpers Ferry National Historical Park
P.O. Box 65, Harpers Ferry, WV 25425

office: (304) 535-6038, cell: (304) 671-7871
Andrew.Lee@nps.gov



Blue Ridge Watershed Coalition
Tax EIN: 45-2105782
65 Mission Road
Po Box 538
Harpers Ferry, WV 25425
Ronda Lehman, Chair

Jefferson County Planning Commission
Jefferson County Commission
Po Box 338
Charles Town, West Virginia, 25414

July 22, 2014

To the Honorable members of the County Commission,

The Blue Ridge Watershed Coalition of Harpers Ferry respectfully requests that the Downstream Strategies, "Engineering Report," and "Future of the Mountain" documents be added as a reference or appendix to the new Comprehensive Plan.

The reports were sponsored by a National Fish and Wildlife Federation grant obtained by the Jefferson County Planning Commission in 2008. The plans and reports were prepared for the Jefferson County Commission.

The process Downstream Strategies employed was very similar to that of the Envision 2035 steering committee meetings. Three very well attended community meetings were held on the Blue Ridge through 2009 and 2010. Community members participated and every comment was considered in crafting the common vision of our mountain. The process was also steered by 23 members of the mountain communities whom did a wonderful job at getting their friends and neighbors out to the meetings. I remember one meeting having 77 people in attendance and another having over 100. Compared to the turnouts of the "Envision 2035" mountain meetings, I believe the meetings in 2010 were better attended. I can attest that many of those residents in attendance in 2010 are still active members of the Blue Ridge Communities.

On page 218 under Goal 18, Objective 2, it is mentioned the county will work with the BRWC to implement the recommendations of the Blue Ridge Mountain Communities Watershed Plan. We submit this would be a good place to add a new appendix that includes the plan, and the Engineering report.

The BRWC applauds the County Commission and Planning Department along with the 15 community members that crafted this first draft for their work and commitment to the future of Jefferson County and her many natural resources. It is a well thought out and constructed plan.

Thank you for your consideration of our request.

Sincerely,



Ronda Lehman

Blue Ridge Watershed Coalition, Chair

304-261-8070

Blue Ridge Mountain Communities Area Watershed Plan

Engineering Report



PREPARED BY:

**Sera Zegre
Evan Hansen
Anne Hereford**

Downstream Strategies
219 Wall Street
Morgantown, WV 26505
www.downstreamstrategies.com
304.292.2450

IN COLLABORATION WITH:

Steve Gergely, RLA

Harbor Engineering
41 South Main Street
Manheim, PA 17545
www.harborengineering.com
717.665.9000

FOR:

**County Commission of
Jefferson County,
West Virginia**

116 East Washington Street
P.O. Box 338
Charles Town, WV 25414

Attention: Seth Rivard, Planning and
Zoning Department
srivard@jeffersoncountywv.org

**Downstream
Strategies**
building capacity for sustainability

HARBOR
Engineering, Inc.

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AGENCY / ORGANIZATION ABBREVIATIONS

USEPA	United States Environmental Protection Agency
WVDEP	West Virginia Department of Environmental Protection
WVU	West Virginia University

TERMS

Best Management Practice (BMP)	A technique, process, activity, or structure used to reduce water pollution; although this is a type of water pollution control for many pollution sources, this report focuses on stormwater discharge
Evapotranspiration	Uptake of water by plants, and release of water back to the atmosphere
Geographic Information System (GIS)	A system that stores and displays statistical and demographic information linked to a map of the land area that it describes
Impervious cover	Surfaces that decrease the ecosystem's ability to infiltrate stormwater, resulting in greater runoff Examples of these surfaces include rooftops, roads, overly compacted areas, sidewalks, and other hard surfaces
Site design	The comprehensive planning of a site, including but not limited to layout, grading, utilities, and stormwater management
Stakeholder	Any person or individual with a vested interest
Tributary	A stream or river that flows into a main river
Vision	A document that describes a picture for the future, created with input from Blue Ridge Mountain citizens, which will guide Jefferson County in creating a small area plan for the Mountain
Watershed	An area of land that drains into a river, lake, or bay

ACKNOWLEDGEMENTS

This engineering report, as well as the vision report and stakeholder process, was funded through a grant from the National Fish and Wildlife Foundation and the County Commission of Jefferson County, West Virginia. We thank these funders, as well as all stakeholders who participated in the development of the common vision that has shaped this engineering report.

We specifically thank Todd Fagan (Jefferson County GIS Office), Jessica Gormont (Jefferson County GIS Office), and Michael Schwartz (Freshwater Institute) who provided information, data, and support for this report.

Finally, the project would not have been possible without a core team who developed the original project concept, secured funding, provided leadership, and provided key project support: Jennifer Brockman (Jefferson County Department of Planning and Zoning), John Maxey (Jefferson County Planning Commission), Seth Rivard (Jefferson County Department of Planning and Zoning), and Julia Quodala (Jefferson County Department of Planning and Zoning).

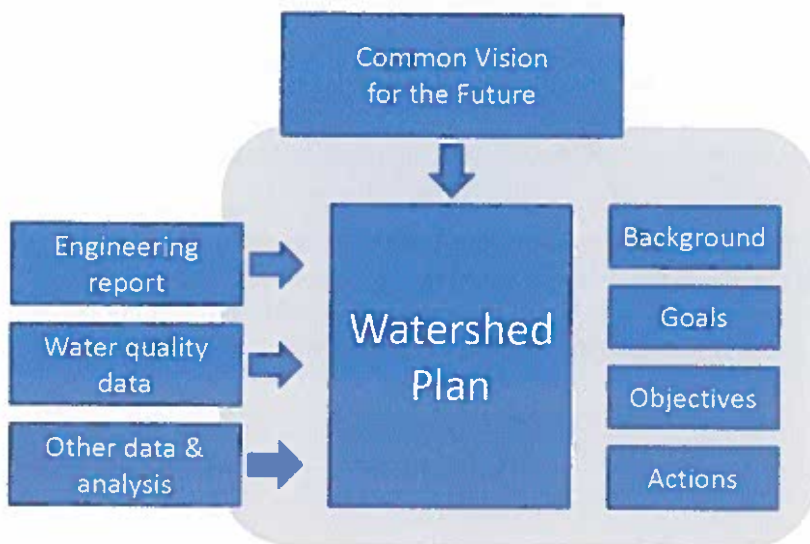
1. BACKGROUND

The Blue Ridge Mountain Communities Area in Jefferson County, West Virginia, referred to as “the Mountain,” lies within the Shenandoah River watershed. The Mountain area is bordered by the Shenandoah River to the west, the Appalachian Trail and Virginia line to the east, the confluence of the Potomac and Shenandoah Rivers to the north, and the Clark County, Virginia line to the south. Not only does the Shenandoah River serve as the community’s western border, it also serves as a major tributary that affects the water quality of the Chesapeake Bay.

In 2009, President Obama signed an executive order mandating improved water quality for the greater Chesapeake Bay watershed, which includes six states and the District of Columbia. As the Shenandoah is part of the Chesapeake Bay watershed, the National Fish and Wildlife Foundation awarded Jefferson County a grant to develop a locally supported vision document and to create engineering recommendations, to guide the preparation of a locally supported watershed management plan for the Shenandoah River watershed in Jefferson County. Through the Blue Ridge Mountain Communities Area Watershed Plan (BRMCAWP) effort, Jefferson County seeks to take a positive step toward protecting such a culturally significant area of the County and meeting the presidentially mandated order.

The goal is to create a watershed management plan that allows future development and improvement to the area, while maintaining or improving the water quality of the watershed. The visioning process serves to both guide preparation of a watershed management plan to improve the water quality of the Shenandoah River, and also to incorporate the thoughts of Mountain residents and other stakeholders regarding the future. Beyond the vision document, relevant data, analysis, and resources will serve to ground the watershed plan; information presented in this engineering report will serve as a key component in the watershed plan (Figure 1). The information in this report also served to communicate engineering information during the stakeholder visioning process.

Figure 1: Components of the watershed plan



Downstream Strategies, in coordination with Harbor Engineering, Inc. (HEI), provides the following engineering report detailing landscape engineering recommendations, including a case study of a similar community, as well as the following components:

- Best management practices for steep slope watershed management;
- Recommendations for impervious surface cover limits based on slope and subwatershed; and
- Recommendations regarding improved road access and future transportation connections.

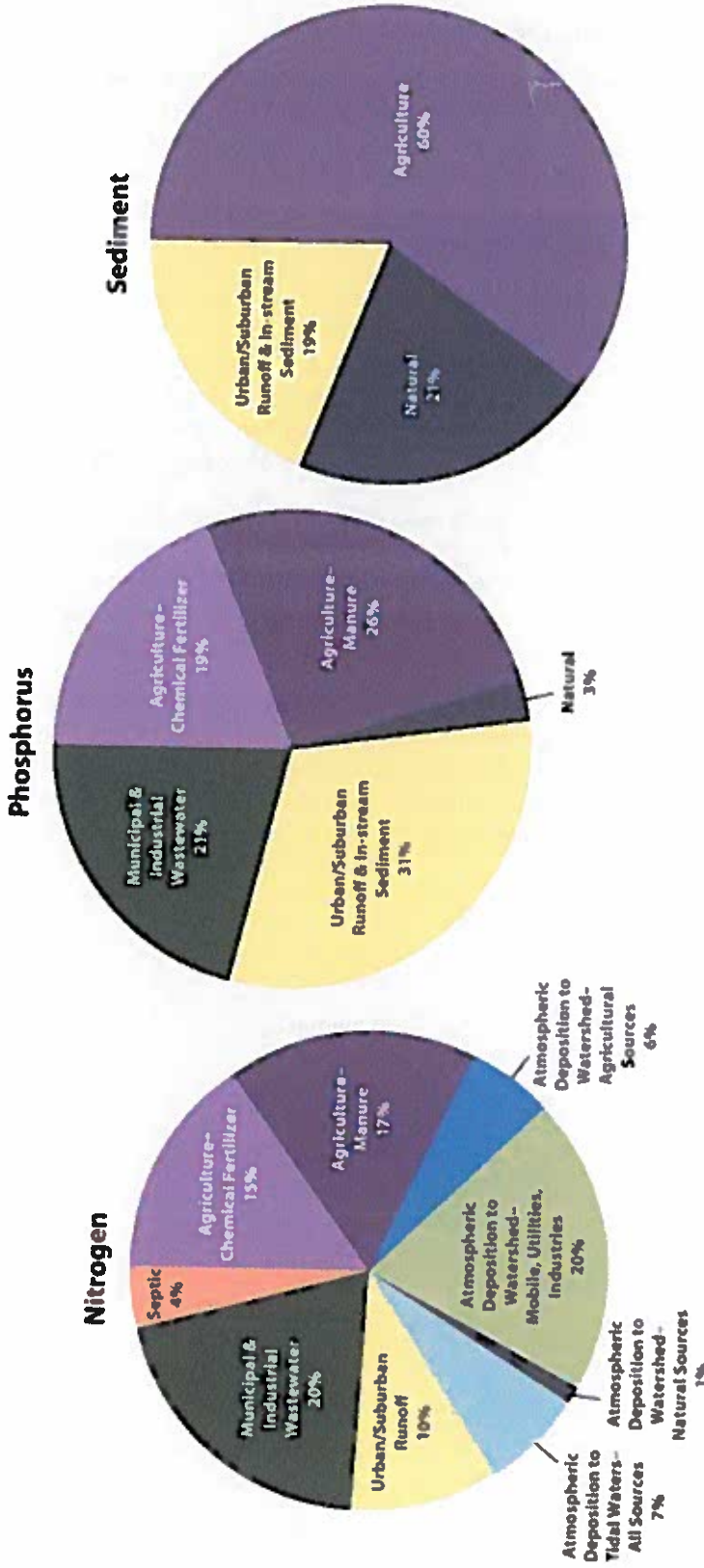
1.1 Chesapeake Bay Watershed

According to the United States Environmental Protection Agency (USEPA)'s Chesapeake Bay Compliance and Enforcement Strategy (2010a), West Virginia and other basin states are required to address downstream pollution to the Chesapeake Bay by reducing the flow of nutrients and sediment into the Bay using maximum amounts, known as Cap Load Allocations, for each jurisdiction. The greatest pollution threats to the Bay include nitrogen, phosphorus, and sediment. These pollutants come from sources such as agricultural operations, wastewater treatment facilities, and stormwater runoff. Agricultural sources contribute the largest amount of nutrient and sediment pollution in the watershed, accounting for about 38% of the nitrogen, 45% of the phosphorus, and 60% of the sediment. Stormwater runoff accounts for about 10% of the nitrogen, 31% of the phosphorous, and 19% of the sediment (Figure 2). Population growth and development have caused a rapid increase in the amount of impervious surfaces, and the associated concern with stormwater pollution (USEPA, 2010a).

Of the Chesapeake Bay watershed jurisdictions, Pennsylvania and Virginia contain the most land area in the Chesapeake Bay watershed and contribute the highest nutrient loadings. Out of the total nutrient and sediment load into the Bay, West Virginia contributes 3% of all nitrogen and 4% of all phosphorous (USEPA, 2010a); agriculture is the source for about 65% of the nitrogen and 60% of the phosphorous loads (Jefferson County Department of Planning and Zoning, 2010a). Urban development and stormwater runoff are two contributors to excess nitrogen and phosphorous that may concern Jefferson County (Jefferson County Department of Planning and Zoning, 2010a). While the amount of nitrogen contributed from septics is relatively small, development pressures and aging septics could increase the contribution of nitrogen from this source. The Shenandoah Valley in Virginia and West Virginia, as well as south-central Pennsylvania, are two of the three areas with the greatest contributions of manure-based agricultural nutrient loads to the Bay; densely populated animal agriculture operations in these areas cause the highest agricultural nutrient loads to the Bay in comparison to other areas (USEPA, 2010a).

The Chesapeake Bay watershed includes Jefferson County and the Shenandoah River. The type and amount of contaminants entering the Shenandoah from the Mountain, however, are unclear. Water quality is currently being monitored on the Mountain to determine the total contribution of pollutants relevant to the Chesapeake Bay, namely, nitrogen, phosphorous, and sediment.

Figure 2: Relative responsibility of pollutant loading to the Chesapeake Bay



Note: Does not include loads from tidal shoreline erosion or the ocean. Urban/suburban runoff loads due to atmospheric deposition are included under atmospheric deposition loads. Wastewater loads are based on measured discharges; other loads are based on an average hydrology year using the Chesapeake Bay Program Airshed Model and Watershed Model Phase 4.3.

Source: Copied from USEPA (2010a).

1.2 Blue Ridge Mountain Communities Area

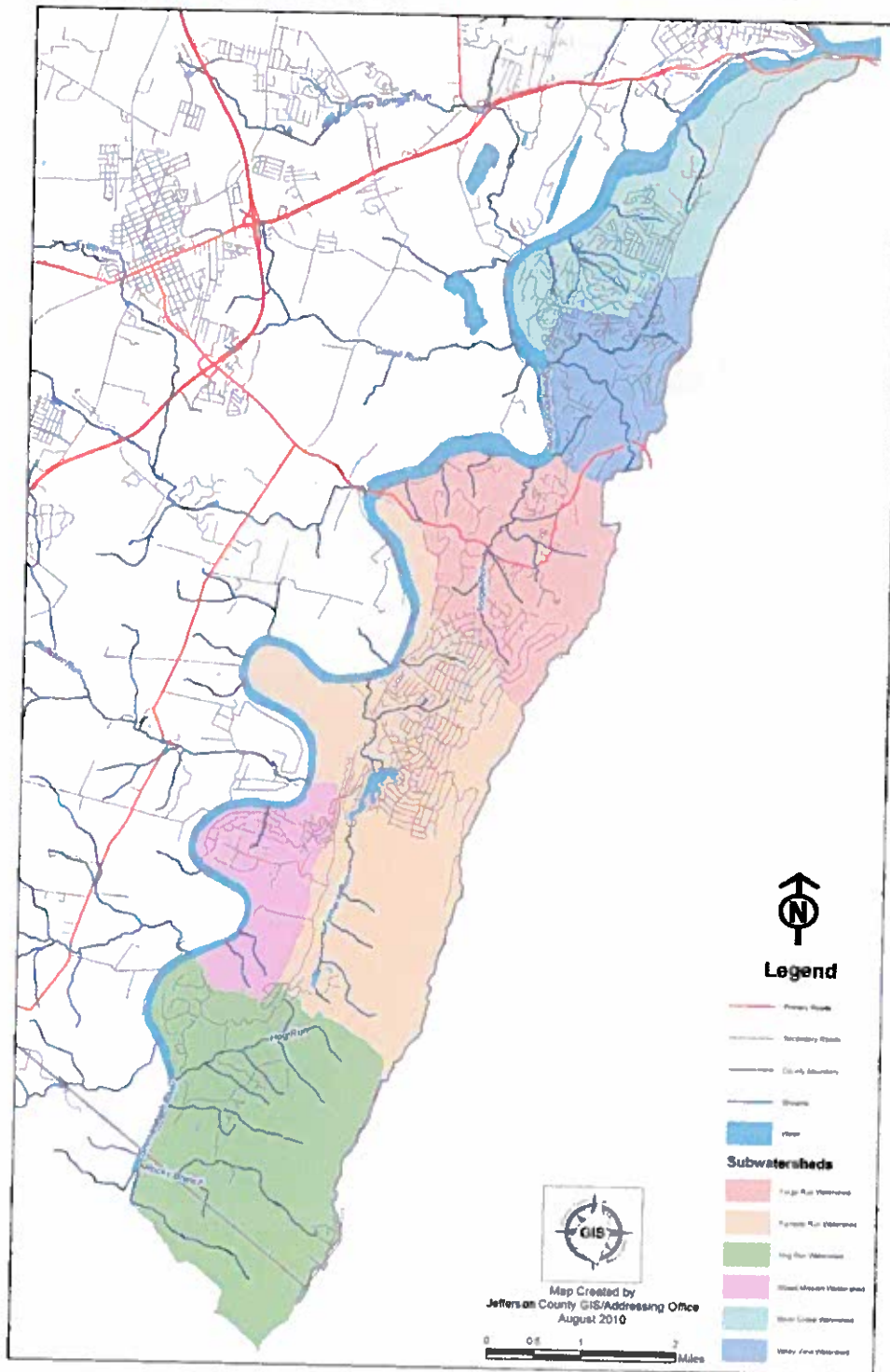
The Mountain watershed, a physical area of land east of the Shenandoah River in Jefferson County, is approximately 24 square miles, which makes up 11% of Jefferson County. This land area includes federal-, state-, county-, and privately-owned land. The land use is mixed; much of the northern portion is residential, largely located in areas called Shannondale and Keyes Ferry Acres. The southern part of the Mountain is largely open space, managed as wildlife management area (Jefferson County Department of Planning and Zoning, 2010b).

A watershed can be defined as an area of land where all precipitation falling within that boundary drains to a single point (USEPA, 2010b). Smaller areas that drain into a single point, such as those within the Shenandoah watershed, are called subwatersheds. In the Mountain's area, Jefferson County has identified six subwatersheds for this project, including the following (named north to south): Silver Grove, Valley View, Forge Run, Furnace Run, Mount Mission, and Hog Run (Figure 3). These subwatersheds can be useful boundaries in watershed planning and monitoring efforts.

Several subdivisions on the Blue Ridge Mountain were planned and approved from 1940 through the 1970s, before subdivision regulations first came into effect in Jefferson County in 1972; these communities also pre-date additional County land development regulations and ordinances that guide development with standards for lot size, water supply, wastewater treatment, road construction, and stormwater management (Jefferson County Department of Planning and Zoning, 2010c).

Current and future development on the Mountain can impact the Shenandoah watershed. Without guidance such as education, standards, or regulations, future development could threaten the environment and existing quality of life. Recommendations in this report can be implemented—on a subwatershed basis when appropriate—to reduce environmental impacts on the Mountain and downstream and to improve the overall quality of life for Mountain residents.

Figure 3: Subwatersheds of the Blue Ridge Mountain Community



Source: Copied from Jefferson County GIS Office (2010a).

2. EXISTING CONDITIONS

2.1 Slope

The elevation of the Mountain ranges from 250 feet at the junction of the Shenandoah and Potomac Rivers to 1,700 feet, which accounts for a 1,450-foot change in elevation. Jefferson County identified and mapped the slope of the land on the Mountain in a 2009 slope stability project (Shirley, 2009); slope ranges are classified based on the Jefferson County Subdivision and Land Use Regulations as of August 19, 2010 (Table 1; Figure 4). Approximately 55% of the Mountain consists of steep slope, defined as a 15% or greater incline (Maryland Department of Natural Resources, 2010).

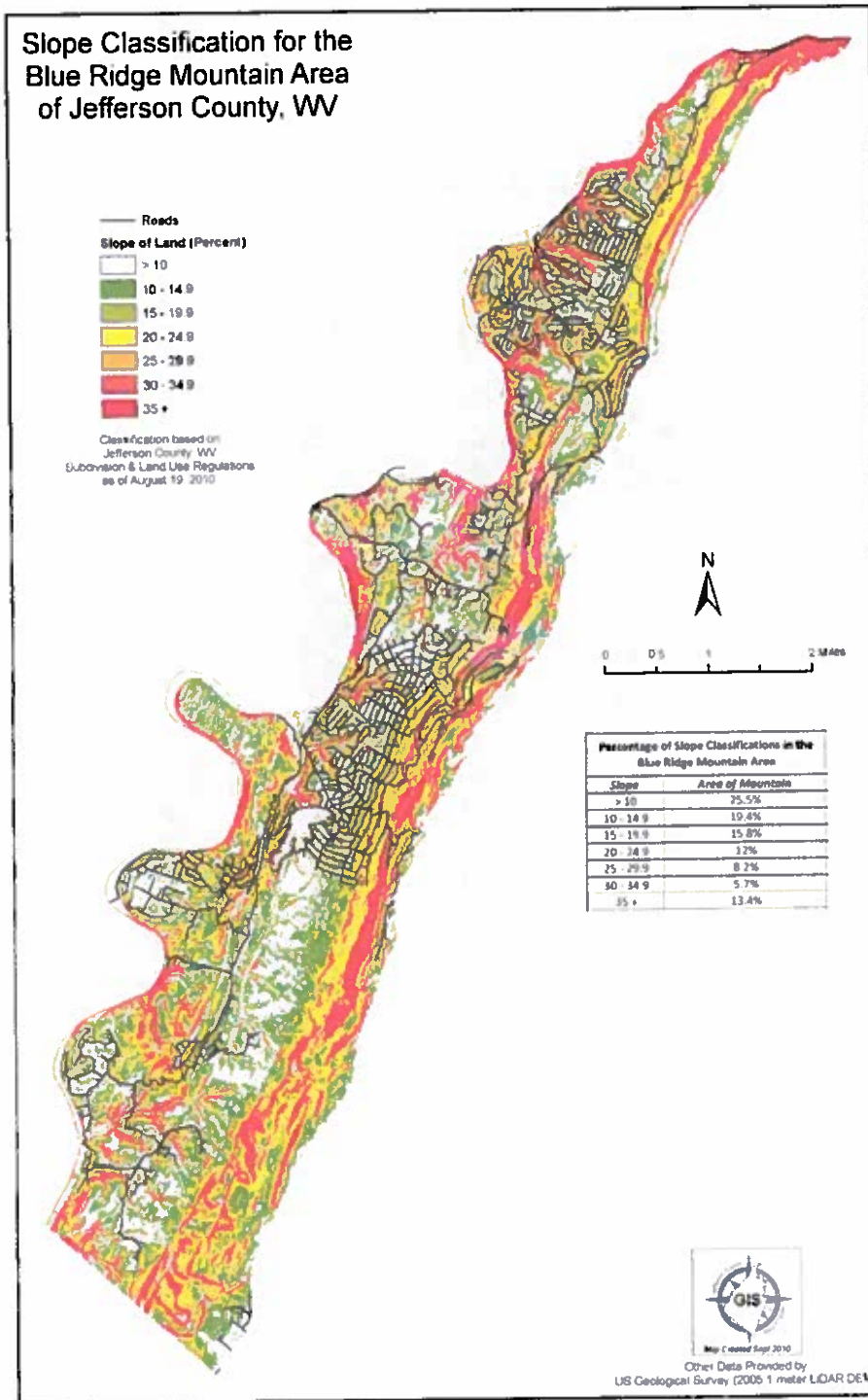
Table 1: Area of the Mountain by slope category

Slope	Percent of Mountain area
<10%	25.5%
10-14.9%	19.4%
15-19.9%	15.8%
20-24.9%	12.0%
25-29.9%	8.2%
30-34.9%	5.7%
35+%	13.4%

Source: Jefferson County GIS Office (2010b).

The Jefferson County Planning and Zoning Department has worked with the GIS Office to map these slope data to analyze both developed and developable lands. This analysis can serve to create or refine recommendations and, where appropriate, regulations.

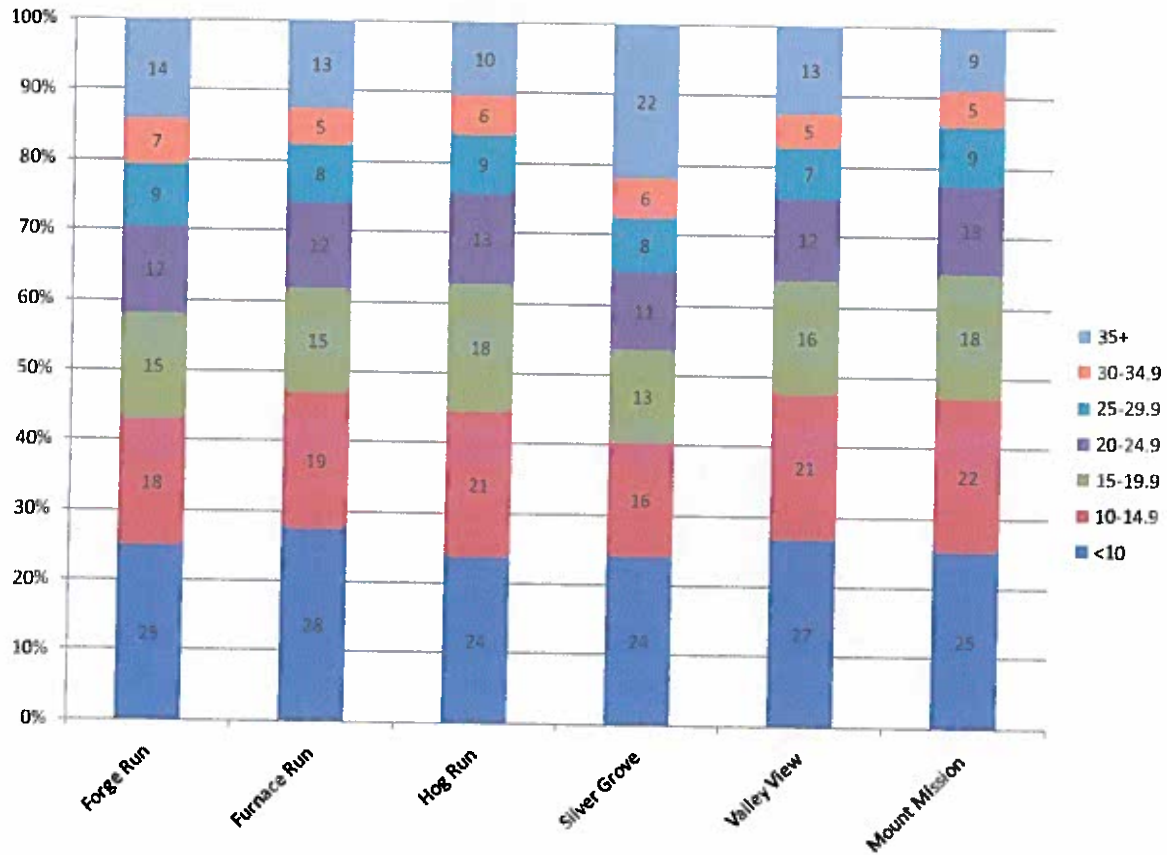
Figure 4: Slope on the Blue Ridge Mountain Area, Jefferson County



Source: Copied from Jefferson County GIS Office (2010b)

Examining slope by subwatershed, each of the subwatersheds on the Mountain contains relatively similar proportions of land area in each slope category (Figure 5). Silver Grove subwatershed contains the highest proportion of land with greater than 35% slope at 22%; in addition, nearly 60% of the land in the Silver Grove subwatershed is considered steep slope (greater than 15%). Three subwatersheds have a cumulative percent of steep slope that is over the Mountain average of 55%, including the following: Silver Grove (60%), Forge Run (57%), and Hog Run (56%).

Figure 5: Percent of land in slope categories by subwatershed



Source: Jefferson County GIS Office (2010b).

2.2 Land ownership and state of development

The Mountain area contains a total of 15,567 acres of land; of these total acres, about 4,392 acres of land are undeveloped, accounting for about 28% of the area, as listed in Table 2 (Jefferson County Department of Planning and Zoning, 2010a).

Table 2: Proportion of land ownership on the Mountain

Land type	Percent of Mountain area
Developed land	37%
Federal, state, county, private easements, and educational facilities	35%
Undeveloped land	28%

Source: Jefferson County Department of Planning and Zoning (2010a).

Potential future growth on the Mountain can be determined by subtracting existing houses from tax parcels and platted lots: 4,249 tax parcels remain unimproved, and 7,143 lots remain undeveloped (Table 3). Of the total platted lots on the Mountain, roughly one-third are developed.

Table 3: Houses, tax parcels, and platted lots on the Mountain as of August 2010

	North of Route 9	South of Route 9	Total
Houses	1,313	1,878	3,191
Tax parcels	3,005	4,435	7,440
Unimproved parcels	1,692	2,557	4,249
Platted lots	4,301	6,033	10,334
Undeveloped lots	2,988	4,155	7,143

Source: Jefferson County Department of Planning and Zoning (2010a). Note: Numbers of houses were subtracted from tax parcels to get unimproved parcels, numbers of houses were subtracted from platted lots to get undeveloped lots.

Although numbers of unimproved parcels and undeveloped lots help estimate maximum possible future growth, a tax parcel or platted lot does not indicate the ability to build upon the property. Because much of the Mountain originally was laid out as individual campsites, some of the lot sizes are unusually small. The smallest lot size on the Mountain, for example, is about 10 feet by 150 feet. The vast majority of these smaller lots, however, have contiguous ownership; although these lots are not legally merged for planning and zoning, they are merged for tax assessment. Many platted lots are inadequate to support private wells and septic systems due to small size, steep slopes, or limited road access; these constraints limit opportunities to for building on some existing platted lots. The number of existing platted lots, however, demonstrates future development possibilities (Jefferson County Department of Planning and Zoning, 2010c).

2.3 Septic

2.3.1 Permit applications

To provide perspective regarding development on the Blue Ridge Mountain, the Jefferson County Board of Health has issued a total of 5,604 drainfield permits, of which 5,177 have been built, as shown in Table 4 (Jefferson County Department of Planning and Zoning, 2010a).

Table 4: Septic drainfield permits issued by Jefferson County Board of Health

	North of Route 9	South of Route 9	Total
Drainfield permits	1,720	3,884	5,604
Built	1,609	3,568	5,177
Not built	111	316	427

Source: Jefferson County Department of Planning and Zoning (2010a).

2.3.2 Septic regulations

State septic rules are enforced at the county level. Additional standards and regulations may be present at the county or subdivision levels, but do not currently exist in Jefferson County. According to state rules, the general area required for installation of an individual septic system must be at least 10,000 square feet. Where public water is not available, the required area is doubled to 20,000 square feet. This regulation serves to protect drinking water supplies, assuming that without a public water supply system, wells or springs serve as drinking water sources (State of West Virginia, 1998).

The design standards for an individual sewage system regulate where septic tanks and drainfields can be located, and include area required, as well as both horizontal and vertical setbacks. A few other considerations encompass the general requirements for septic installation in West Virginia. According to the State of West Virginia (2003), general site requirements for an individual sewage system include the following:

- 10 foot setback from building or property line
- 25 foot setback from public water supply, 10 feet from private
- 50 foot setback from private water well or groundwater supply in any direction (in Jefferson County, it is a 100 foot setback)

In addition to horizontal setbacks, vertical limits for an individual sewage system include a minimum distance of three feet between the drainfield and the seasonal groundwater bedrock or any impermeable soil layer. These vertical conditions may be problematic in karst regions or areas with high groundwater tables. In these areas, elevated mound systems may be required, which are expensive due to the costs of engineered sand and its transport (State of West Virginia, 2003).

Beyond the necessary area and setbacks, drainfields must have a maximum depth of 36 inches, and a minimum depth of 18 inches. Other site considerations for the size of drainfields include the nature of the soil and the size of the house. In West Virginia, a percolation ("perc") test is used to determine soil characteristics. In other states, soil texture is used to determine loading rate, a more specific measure of the nature of soil than a perc test. Pool soils may necessitate the development of a larger drain field; no septic can be installed where perc test results show an average percolation time of less than five minutes per inch (State of West Virginia, 2003). In addition, the tank capacities are based on the number of bedrooms in a house; a four bedroom house requires 1,000 gallon capacity, and each additional bedroom requires 250 gallons (State of West Virginia, 2003).

In other parts of the country, factors such as nearby sensitive areas are relevant in permitting septic use. Minnesota, for example, has higher levels of protection in the northern part of state due to the proximity to the Great Lakes. Other examples of septic restrictions in sensitive areas include the Pine Barrens area in New Jersey to protect drinking water quality, and Puget Sound in Washington State to protect the ecology and connected tourism industry. In Maryland, regulations address the excess

nitrogen flowing into the Chesapeake Bay. Although the contribution of nitrogen to the Chesapeake Bay from septic systems (4%) is far less than the contribution from agriculture (32%) (USEPA, 2010a), Maryland Department of the Environment began offering free septic upgrades to residents via the Maryland Bay Restoration Fund to remove nitrogen from the systems' wastewater (USEPA, 2009). The Fund is supported by fees from users of Maryland's wastewater facilities, onsite sewage disposal systems, and holding tanks.

In Pennsylvania, areas of known high nitrates require that a preliminary hydrogeology study be performed prior to the permitting of an on-lot septic system. The study takes into account the nitrate levels of the subject and nearby properties to determine the appropriate recharge area required for a new on-lot system. The determined recharge area is exclusive of impervious surface, and is the minimum area required for the septic system to avoid negative impacts on the drinking water supply. In the case of nitrate levels that are too high (above 10 parts per million nitrogen), traditional on-lot septic systems may be prohibited. Higher levels of nitrates (below the 10 parts per million threshold) often require larger lot sizes. It should be noted that these requirements are for proposed lots to be subdivided, and not for existing lots of record.

Steep slopes offer unique challenges for septic systems, which are designed to evenly spread out wastewater. Perc tests assume an even distribution, and are conducted on a square foot basis. A drainfield can become overloaded if wastewater is delivered to only a portion of the field. Currently, there are no slope restrictions for septic systems in West Virginia; the accepted guideline is to restrict septic drainfields on slopes over 25% (State of West Virginia, 1998). Although costly, methods such as serial distribution, or trellising, can be used when a drainfield is installed on a hillside.

2.4 Public water supply

Three neighborhoods on the Mountain—Keys Ferry Acres, Harper's Ferry Camp Sites, and West Ridge Hills—are served by a small public water system; this system consists of a series of sheds with water tanks and pumps that pump water to individual homes. This system serves about 300 customers in the northern part of the Mountain and is run by Jefferson Utilities, Inc. (JUI). The remaining 90% of the Mountain's residents use private wells and springs for water supply (Jefferson County Department of Planning and Zoning, 2010c).

The Jefferson County Public Service District estimates the total cost of providing public water and sewer to all Mountain residents would be \$109,286,000, as shown in Table 5 (Jefferson County Department of Planning and Zoning, 2010a). During the visioning process, citizens of the Mountain expressed strong concern regarding public water and sewer systems.

Table 5: Estimated costs of providing public services on the Mountain (millions)

Service	North of Route 9	South of Route 9	Total
Sewer	\$24.7	\$41.7	\$66.4
Water	\$20.4	\$22.4	\$42.8
Total			\$109.3

Source: Jefferson County Department of Planning and Zoning (2010a).

2.5 Recommendations

To protect water quality, and to prevent potential issues from worsening, we recommend Jefferson County foster a water quality monitoring program on the Mountain that collects and analyzes water quality data that serves as a foundation for decision making. Monitoring for nitrogen, for example, can help understand existing septic systems; other parameters such as fecal coliform, a parameter used by the West Virginia Department of Environmental Protection (WVDEP), and E. coli, a parameter used by the USEPA, are also informative. Caution should be used in interpretation of the latter two parameters, which can be present at high concentrations where animals frequent, such as deer or cows. Monitoring for sediment concentrations, as well as phosphorus is also recommended, especially considering the Mountain's connection to the Chesapeake Bay. The WVDEP's Watershed Assessment Section (WAS) systematically measures water quality and the biological health of West Virginia's rivers and streams using a five-year rotating basin plan. The Shenandoah-Jefferson County watershed, of which the Mountain is a part, was monitored in 2006, and is scheduled again for 2011. These data can be used in conjunction with additional monitoring efforts to collect baseline data to understand impacts of development on the Mountain, as well as the Mountain's contribution to Chesapeake Bay water quality.

Participants in the vision process had the most consensus and passion about the need for more water quality data. Some participants expressed, for example, that this data collection was long overdue. Participants agreed that baseline water quality data must be collected and analyzed before and during the watershed planning processes to identify water quality problems (if any), as well as its type and source. More specifically, participants also would like to identify pollution from connected watersheds (e.g., to identify what is coming into the Shenandoah from upstream in Virginia). Participants also supported ongoing stream monitoring efforts to comply with USEPA's strategy for the Chesapeake Bay.

3. BEST MANAGEMENT PRACTICES FOR STEEP SLOPE WATERSHED MANAGEMENT

Best management practices (BMPs) are techniques, processes, activities, or structures used to reduce water pollution; although BMPs are used for a wide variety of types of pollution, this report focuses mainly on stormwater discharge. More specifically, we are focused on BMPs that are the tools for steep slope watershed management.

The goals of these practices are to mimic natural flows, to prevent erosion and sedimentation, and to minimize pollution discharges into streams. In designing a site, these goals can be met by reducing impervious cover and utilizing pervious or otherwise natural areas for addressing stormwater runoff. These BMPs also help reduce the pollutants relevant to concerns with the Chesapeake Bay, including phosphorous, nitrogen, and sediment.

BMPs are typically organized into two categories: (1) structural, or built structures, and (2) non-structural, which include processes or techniques such as preservation or planning. The following BMPs could be encouraged or incentivized; for new development especially, these BMPs can be mandated. We suggest that Jefferson County think about property rights if considering mandating BMPs; throughout the visioning process, citizens of the Mountain expressed concern regarding individual lot regulations that affect their property rights.

3.1 Structural BMPs

Structural BMPs such as green roofs, grassy swales, and rain gardens are being used more and more across the country to mimic natural processes such as infiltration and evapotranspiration, and also to capture and reuse stormwater. In addition to water quality improvements, structural BMPs typically provide many side benefits such as flood prevention and aesthetic appeal.

The degree of stormwater volume and pollutant reduction achieved by these practices varies based on design, precipitation patterns, slope, and other factors. However, these techniques have been successfully implemented throughout a variety of climates and terrains in US cities of various sizes.

3.1.1 Seepage pits

Seepage pits are constructed sub-surface pits filled with clean stone and designed to infiltrate stormwater from a contributing drainage area. Common uses for seepage pits include capturing and infiltrating stormwater from rooftops, parking lots, driveways, and lawns. When designing seepage pits, it is important to verify that the sub-surface soil will percolate adequately, and the bottom of the pit must be sufficiently clear of any limiting zones or hazards, including bedrock or a high water table. Seepage pits are typically designed with sufficient storage volume to store the contributing stormwater runoff until it has an opportunity to infiltrate.

3.1.2 Rain gardens

Rain gardens, also known as bioretention cells, are a more decorative means of increasing infiltration. They often use engineered soils and carefully chosen plants to infiltrate up to 30% more rainfall than typical turf lawns (Wisconsin Department of Natural Resources (WDNR), 2003). Rain gardens are also graded to create a shallow depressed area so that rainwater can collect and pool in the area before

infiltrating. As with all infiltration facilities, it is important to verify that there are no hazards or limiting zones that would not allow the facility to function as designed.

Figure 6: Rain Garden at Habitat for Humanity in Charleston, West Virginia



Photo: Sherry Wilkins, WVDEP.

3.1.3 *Bioswales*

Vegetated conveyances called bioswales help filter contaminants from stormwater runoff, and may also allow for biological uptake of pollutants (USEPA, 2007). Bioswales are not retention facilities; they are designed to infiltrate or drain within 12 to 24 hours. Bioswales differ from traditional vegetated stormwater conveyance; the plants and engineered soils are specially chosen to increase infiltration and filter pollutants from the runoff. Bioswales are widely used in parking lots and along roadways.



Photo: USEPA.

3.1.4 ***Terraced planter systems***

Terracing steep slopes allows for the management of stormwater runoff by slowing or preventing it. The upper-most terrace detains stormwater until it reaches capacity; additional runoff will overflow to the next level below. This system slows stormwater runoff to reduce the possibility of erosion, and allows for ground infiltration and plant uptake.

Figure 7: Terraced rain gardens at the Sidwell Friends School, Washington DC

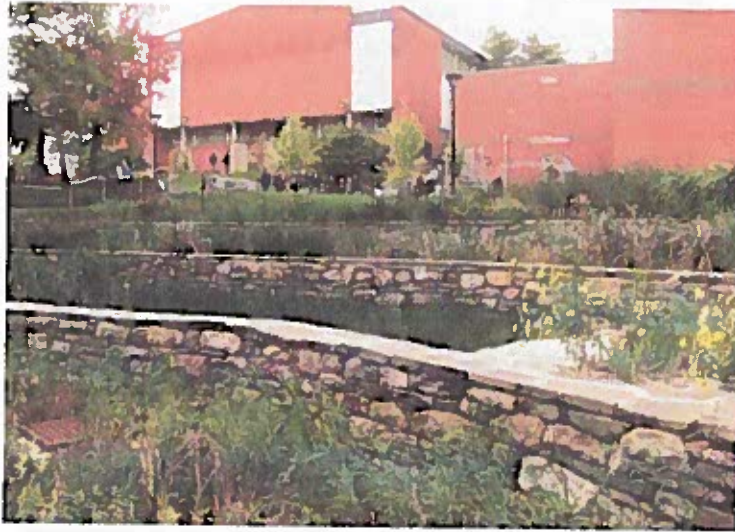


Photo: USEPA.

3.1.5 ***Green roofs***

Green roofs are separated from the ground surface and incorporate an impermeable lining in order to protect the building from leaks. Thus, much of the water captured by a green roof evaporates or transpires through plants. Even when larger storm events exceed the retention capacity of green roofs, the volume of runoff to storm drains is reduced, allowing local sewer systems and streams to recover from the initial storm surge before processing the runoff.

3.1.6 ***Rain barrels and cisterns***

These storage systems are often connected to downspouts to harvest runoff from roofs. Collecting and reusing runoff from roofs can result in substantial savings for property owners and stormwater management departments alike. Nearly 80% of domestic water use is for landscaping or indoor non-potable use including flushing toilets and washing clothes (USEPA, 2008). Runoff from a 40 foot by 30 foot roof will generate 75 gallons of water for every 0.1 inch of rainfall. Capturing and reusing runoff can keep thousands of gallons of water out of the sewer system while saving money on water use.

Figure 8: Rain barrels and cisterns



Photos: USEPA.

3.1.7 *Traffic islands, curb extensions, and sidewalk landscaping*

Curb extensions are vegetated areas that capture runoff from impervious surfaces such as roads. Besides adding aesthetic appeal, curb extensions have the added benefits of slowing traffic on residential streets, as well as reducing or eliminating basement flooding. Creating vegetated roadside channels where practical can provide water quality benefits and reduce erosion created by roadside stormwater runoff.



Photo: USEPA.

3.1.8 *Pervious pavement*

Pervious pavement has been available for decades, but is now gaining in popularity as a stormwater control measure. Pervious asphalt and concrete are poured over an aggregate base that provides structural support and runoff storage; this base also filters pollutants. Pervious asphalt and concrete are ideal for parking lots, low-traffic streets, and basketball courts. Other pervious pavement technologies include interlocking pavers and plastic grid paving, which can both be planted with grass or filled with gravel to promote infiltration; these can be used for parking lots, sidewalks, and driveways.

Figure 9: Examples of standard pavement alongside pervious pavement



Photo: Harbor Engineering. Note: Standard, impervious pavement is shown on left side of photo under the pooling water. Pervious pavement is shown on right side of photo, where water has absorbed into the pavement. Also note the medians designed to assist with stormwater runoff.

3.2 Non-structural best management practices

Non-structural BMPs use existing resources such as open space and natural systems to manage stormwater. These BMPs focus more on planning and policy to minimize disturbance and reduce the amount of impervious area.

3.2.1 *Planned development*

In addition to preserving open space at the site scale, neighborhoods and municipalities can take steps to encourage cluster development and redevelopment of previously developed sites. Integrating the design of the stormwater management facilities into the initial site design can also influence the layout of a project. Reduced impervious coverage achieved through clustered design can reduce impervious surfaces and also reduce the need for stormwater management facilities. In addition, focusing new development in areas that are already densely developed and redeveloping sites that are no longer in use allow for the preservation of open space or vegetated buffers that might otherwise be developed to accommodate urban growth.

3.2.2 *Preservation of open space during construction*

During construction, greenspace, even when an integral part of final site design, is often compacted, stripped of topsoil, and reduced in area more than necessary. Conservation design promotes careful planning to preserve open space, including, for example, siting buildings away from wetlands and other ecologically important areas, and clearing the minimum amount of land necessary to accommodate the construction. Conservation design can also curb construction costs by reducing the need for traditional stormwater management, as well as the required amount of pavement and infrastructure.

3.2.3 *Shared, reduced width, and two-track driveways*

Planning to reduce road widths can help preserve open space and reduce impervious surfaces. Shared driveways, reduced driveway widths, and two-track driveways are all ways to preserve some degree of open space, without compromising the functionality of driveways.

3.2.4 *Infill development*

Concentrating new development in urban areas rather than expanding into surrounding undeveloped areas reduces the need for additional road and sewer systems, saving municipalities money and preserving open space for recreation and agriculture. Fewer roads mean less stormwater runoff.

3.2.5 *Preservation of existing trees and vegetation*

Preserving existing trees is a low-cost way to reduce stormwater runoff and provide water quality benefits. In addition to air quality benefits, trees provide shade and release moisture, reducing the direct solar radiation and providing energy savings. A common concern of street-side trees is the damage caused to hardscapes by tree roots. These concerns are being addressed through more careful assessment of soil volume requirements and by new technologies that support heavy loads while making larger volumes of soil available to the trees.

The tree canopy catches some precipitation as it falls, a first step in reducing stormwater runoff. Even if trees, shrubs, or wildflowers are disconnected from the natural soil, runoff directed into planters will be taken up by the plants and released into the atmosphere.

Re-vegetating disturbed areas with native plants can also reduce stormwater runoff, as well as reduce the amount of area that would otherwise be left as a traditional lawn, which requires continuous maintenance and often receives fertilizer inputs.

3.2.6 *Education and outreach*

Education and outreach efforts by the county or homeowners associations can include, but are not limited to the following:

- Encourage tree and vegetation plantings as a means to stabilize eroded slopes and channels.
- Encourage the use of cisterns to collect and reuse stormwater runoff from dwelling roof areas.
- Encourage rain gardens and natural areas, as well as the naturalization of existing lawn areas.
- Provide free guidelines for rain garden and cistern design and installation.
- Provide a natural plantings plant list at no charge to homeowners.
- Discourage the use of lawn fertilizers to reduce the amount of nitrogen and phosphorous runoff into the watershed.

3.3 *Septic system maintenance*

Although not directly related to stormwater, routine inspection and maintenance of existing septic systems could help minimize pollution discharges into streams. Through inspection and replacement of failing systems, a septic system maintenance program could help reduce the pollutants relevant to concerns with the Chesapeake Bay, including nitrogen and phosphorous. Existing programs in West Virginia offer technical and financial assistance for residents with failing septic systems. Education and outreach efforts can also be specifically focused on septic maintenance and assistance opportunities.

Model Development Principles

Model development principles have been adapted from a series of nationally-endorsed principles developed by the Site Planning Roundtable, a national cross-section of planning, environmental, home builder, fire, safety, public works, and local government personnel. These principles outline areas for consideration to change the standard approach to site design. It is acknowledged that some of the practices below do not apply to the Mountain.

Residential streets and parking lots.

1. Reduce residential street width
2. Reduce residential street length
3. Reduce residential street right-of-way widths
4. Minimize cul-de-sacs
5. Use vegetated open channels
6. Lower required parking ratios
7. Reduce parking ratios for mass transit or shared parking
8. Reduce parking lot imperviousness
9. Provide meaningful incentives to encourage structured and shared parking
10. Provide stormwater treatment for parking lot runoff

Lot development.

1. Advocate open space development (or cluster design)
2. Relax setbacks and frontages
3. Promote more flexible sidewalk standards
4. Promote alternative driveway surfaces and shared driveways
5. Specify management of open space
6. Direct rooftop runoff to pervious areas

Conservation of natural areas.

1. Create aquatic buffers along all perennial streams
2. Maintain buffers over time, through all stages of development
3. Minimize clearing and grading of native vegetation
4. Conserve and promote trees and other native vegetation
5. Encourage conservation incentives and flexibility
6. Provide stormwater management

A handbook developed by the Center for Watershed Protection provides additional tools: "this handbook details the technical support for the 22 Model Development Principles and outlines current and recommended practices along with research data on the economic, market, legal, safety, and social benefits of better site designs." Also featured is a worksheet designed to help communities target the development rules most in need of change in their localities.

4. IMPERVIOUS SURFACE COVER LIMITS

4.1 Impervious surfaces indices

Impervious surfaces convey stormwater runoff directly to local streams because they prevent or limit the infiltration of water into the soil. Examples of these surfaces include rooftops, roads, overly compacted areas, sidewalks, and other hard surfaces. Imperviousness is an important indicator of water quality, and the quantification of imperviousness threshold levels directly assists in understanding the negative effects of urban runoff on in-stream water quality (Arnold and Gibbons, 1996; Brabec et al., 2002).

Generally, research indicates that streams in catchments or drainage areas with greater than 10% imperviousness have a higher likelihood of experiencing water quality degradation. Common thresholds include catchments that are protected (less than 10%), impacted (10-30%), and degraded (greater than 30%) (Arnold et al., 1996; Brabec et al., 2002). These thresholds are still being refined; a more recent educational tool, for example, describes streams with catchments at 8-10% imperviousness as stable but with erosion apparent. This tool also notes a threshold of 20%, at which stream substrate quality decreases and erosion is active (Center for Watershed Protection, 2004).

Impervious surface cover limits can help to retain pervious surfaces that serve to reduce the negative impacts caused by development such as increased stormwater runoff. These cover limits can include, for example, limitations on the percent impervious of a lot. Cover limits can also include required components such as associated stormwater management facilities to mitigate increased runoff as a result of impervious coverage.

4.2 Existing regulations

Existing planning regulations in Jefferson County require the retention of a certain percentage of land in hillside development in its natural, pervious condition. The Jefferson County Subdivision and Land Use Regulations, as of August 19, 2010, specifically include slope delineations, as well as regulations on residential and non-residential site grading, land retention in hillside development by slope, and riparian buffers. The percent of land to be maintained in natural condition is shown in Table 6. These regulations, for example, restrict development on land with a weighted average slope greater than 35% by requiring that 100% of the land area in that parcel be maintained in natural condition.

Table 6: Current requirements for retention of land in natural condition

Weighted average slope of land	Percent of land to be maintained in natural condition
<10%	n/a
10-14.9%	25%
15-19.9%	40%
20-24.9%	55%
25-29.9%	70%
30-34.9%	85%
>35%	100%

Source: Jefferson County Department of Planning and Zoning (2010b).

4.3 Recommendations

We recognize and support the County requirements for retention of land in natural condition in hillside development; these requirements serve as a step towards potential further impervious surface cover limits, should they be required. In addition to the disturbance requirements, we further suggest setting reasonable impervious coverage limits by parcel. For example, current regulations do not contain any impervious coverage limits on sites with less than 10% average slopes; the only limitation to development is associated with the construction of on-lot sanitary sewers. Setting impervious coverage requirements could become more critical in the unlikely event of a public sewer becoming available on the Mountain, beyond the three existing public water supply systems, as the on-lot septic space requirements would no longer be applicable and minimum lot size would decrease. Current requirements have some limitations.

We suggest Jefferson County first inventory existing conditions. Stormwater runoff is influenced by a number of factors including percent impervious surface, soil permeability, and percent slope. Slope can have a considerable impact on the potential infiltration of stormwater and wastewater into the soil. Slope can be a complicated metric to calculate at the subwatershed scale. One method can use mean percent slope for each catchment to get a general idea of how steep a given catchment is and how that may affect stormwater infiltration. Using GIS, the percent imperviousness can be calculated by subwatershed and prioritized according to thresholds such as the following: 5%, 10%, 20%, and 30% (Hansen et al., 2010). This process should also include the spatial identification, using GIS, of all remaining contiguous wooded areas in relation to available lots. This should be done in the context of steep slopes and existing springs and water bodies. Jefferson County's existing GIS work with tree cover inventory can help assess cover type. A wooded area, for example, would generally be associated with less stormwater runoff than a lawn or cultivated area on similar slopes, even though all three cover types are considered pervious. This information can help to establish impervious surface cover limits that apply to individual parcels; the rules would impact different parcels in different ways, depending on the specific characteristics of each parcel.

For all lots, or at least those over a certain size such as one acre, more restrictive criteria may be used to determine the maximum allowable impervious coverage. Slope thresholds, for example, may be used to determine impervious coverage or woodland buffer requirements, such as discussed in Section 2.1; the quantity and quality of existing vegetation can also be used to determine lot impervious coverage requirements. Additional regulations could include offsetting additional impervious coverage with wooded areas rather than traditional lawns; these wooded areas can serve to reduce erosion and stormwater runoff. To support impervious surface cover limits, the County can also establish woodland buffer requirements for all lots to ensure contiguous tree canopy and understory where practical.

Additionally, we suggest the County Planning and Zoning Department work with the County Health Department to establish a minimum lot size based on sanitary sewer requirements due to the large variation in available lot sizes. This minimum lot size can serve as a baseline for a reasonable impervious coverage for a single-family dwelling, driveway, and associated impervious surface.

Limiting development is an alternative way to preserve water quality. Zoning large contiguous sections of wooded and steeply sloped areas as "Conservation Areas" is an approach to minimizing the allowable developable areas, and keeping lot coverage to a minimum. These areas are typically associated with limited development rights, large minimum lot sizes (i.e., 10 acres), and low impervious coverage limits (i.e., less than 5%).

In Jefferson County, conservation easements provide another option to preserve water quality by minimizing development in certain areas. The Land Trust of the Eastern Panhandle provides conservation easements to properties larger than 20 acres. If a single landowner does not have the necessary acres alone, residents with development rights or development potential could work with contiguous landowners to meet the 20 acre minimum threshold.

In addition to recommendations outlined for existing development, we suggest that Jefferson County consider property rights when assessing land use regulations on individual lots; throughout the visioning process, citizens of the Mountain expressed concern regarding individual lot regulations that affect their property rights.

4.4 Recommendations for future development

Site-specific slope data from the Mountain can be used to generate potential limits on future development. Other relevant documentation may include, for example, evidence that erosion generally occurs in areas developed on slopes over a certain percentage, or that landslides may be a concern in the area (Wieczorek et al., 2004; 2006). The actual predictors for erosive conditions depend on many factors such as soil type, vegetation, and contributing upslope drainage area. In the case of the Mountain, the slope data may help to determine a more site-specific slope percentage where erosion is generally observed, assuming similar slope and cover types. Using this information, future development on slopes over a certain grade could be prohibited. Alternately, development on slopes over a specified limit could be allowed with stipulations. These development stipulations could include, for example, requirement of a special exception or some other ordinance mechanism with site-specific requirements obtained from a steep slope evaluation performed by an engineer or other qualified professional. This evaluation would need to identify plans for structural integrity of buildings, stormwater facilities, and erosion prevention that would be approved by the county engineer and commissioners.

Jefferson County should also strengthen existing or, where necessary, create new stormwater management guidelines for future development. There are many approaches that can be used to ensure that post-development runoff is clean and that the volume does not increase after development occurs. One approach could include the requirement that all roof water from proposed dwellings be taken into cisterns, rain gardens, or stone seepage pits, or a combination of all three. This requirement would promote groundwater recharge and reuse, which could have a positive impact on potable water concerns on the Mountain. Water systems could be required to be sized anywhere from the first one inch of rainfall or to completely retain a 100-year storm event.

A second approach would be to mimic the post-construction requirements in West Virginia's general construction stormwater permit. For land disturbances of more than one acre, this permit requires descriptions of measures to be installed to control pollutants after the project is completed; it also requires that stormwater is conveyed from a site in a manner that protects the site and the receiving stream from post-construction erosion (WVDEP, 2007, Section G.4.e.2.B; 2010). In addition, this permit requires Stormwater Pollution Prevention Plans, commonly referred to as erosion and sedimentation control plans. Given the unique challenges associated with steep slope development, Jefferson County should consider requiring erosion and sedimentation control plans for all earth disturbances over 5,000 square feet. The contents of the plan could be the same as the requirements of the general construction stormwater permit and could include, for example, measures to stabilize exposed earth during construction, to trap sediment, and to keep sediment off of roadways and out of watercourses.

A third approach would be to mimic the requirements in West Virginia's general municipal separate storm sewer system (MS4) permit (WVDEP, 2009a; 2009b), even though this permit does not now apply to the Mountain. This permit includes requirements for controlling runoff from new development and redevelopment, and includes numerous elements related to watershed protection and site and neighborhood design. For example, it requires that all new and redevelopment projects implement management measures that keep and manage the first inch of rainfall from 24-hour storms that are preceded by 48 hours of no measurable precipitation.

Combinations of approaches for addressing post-development runoff may be most desirable. We suggest that Jefferson County closely analyze its county requirements as well as these two general permits to choose the best mix of approaches. We also suggest that Jefferson County consider property rights when assessing land use regulations on individual lots; throughout the visioning process, citizens of the Mountain expressed concern regarding individual lot regulations that affect their property rights.

5. IMPROVED ROAD ACCESS

Roads are important to provide access for residents, as well as emergency vehicles. Roads that are poorly designed, constructed, or maintained can prevent access and cause damage to vehicles. Because they intercept surface and subsurface water, roads lead to impacts both on- and off-site, including sedimentation in waterways and damage to vehicles. Properly designed, constructed, and maintained road systems, however, can minimize these impacts (Spong, 2006).

5.1 Current conditions and standards

Most of the subdivision road systems on the Mountain predate engineering specifications; many roads would not be approved under current regulations due to steep slope. In addition, most of these roads do not incorporate stormwater management. These factors contribute to erosion, which causes ruts and gulleys. In turn, water quality is degraded and the roads are almost impassable at times for residents (Jefferson County Department of Planning and Zoning, 2010c).

The Mountain area contains almost 150 miles of roads (Jefferson County GIS Office, 2010a). The primary road to access the Mountain area is Route 9, which is owned and maintained by the State of West Virginia. This east/west road splits the Mountain into northern and southern units. An additional state road, the new Route 9, is currently under construction. In the southern section of the Mountain, Mission Road provides the primary north-south access. Chestnut Hill provides the primary north-south access in the northern portion of the Mountain. Several of the largest communities dissolved their homeowners associations many years ago, and left many roads unmaintained. In 1998, the West Virginia Legislature declared the social and economic importance of roads, establishing a program run by the West Virginia Division of Highways for the identification, acquisition, and maintenance of orphan roads and bridges (State of West Virginia, 2007). The orphan roads program addressed the issues on the Mountain, creating a network of roads that are now considered "orphan" by the West Virginia Division of Highways and that receive only minimal maintenance (Jefferson County Department of Planning and Zoning, 2010c). Many of these orphan roads remain minimally maintained. Residents can apply for a permit from the state Division of Highways to repair a section of road. Others are inappropriate for vehicular travel in their current condition (Figure 10).

Figure 10: An orphaned road on Mountain that travels to platted lots

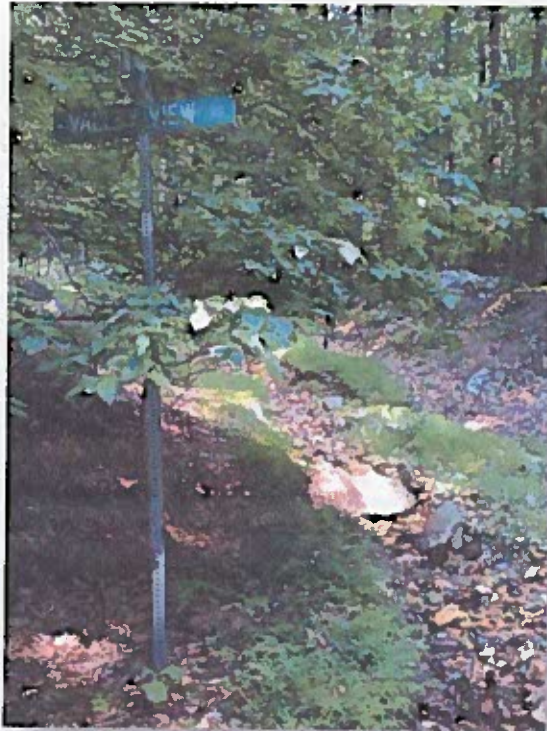


Photo: Evan Hansen.

Questions about slope stability, structure design, and culvert specifications may require professional advice. Deciding between paved versus gravel roads, for example, involves multiple site-specific factors such as existing and anticipated traffic volumes, slope, contributing drainage areas, soil stability, and maintenance responsibilities. A well-maintained gravel road may generate less stormwater runoff than a paved surface, but could contribute more sediment runoff and dust than a paved surface. A gravel road on a steep slope would also require more consistent maintenance than a paved road to prevent scouring and loss of surface material during rain events.

5.2 Improved road access and future road development

Improved road access and future road development begins with an inventory of existing conditions, as well as an understanding of those conditions' impacts. To understand conditions and minimize impacts, Jefferson County should develop a road maintenance plan that starts with an inventory of the current road system that includes roads, culverts, stream crossings, wet areas, and steep slopes. In this inventory, Jefferson County should evaluate existing drainage features to serve as outlets for stormwater conveyance piping and inlets along existing and proposed roadways, as well as analyze specific drainage and erosion problems.

More specifically, future road corridors should be evaluated with existing houses to help identify, for example, through-routes, as well as density criteria for smaller roads. Roads under a certain density could become privately owned lanes, with homeowners entering into agreements for maintenance. The road plan should determine the roads' purposes; it should address how to respond to emergency situations, as well as road maintenance activities such as the following:

- Road surface, including proper grading and any chemical application;
- Drainage structures, including cleaning and repairs of ditches, culverts, and bridges;
- Road sides, including addressing slumps and slides, erosion control, and vegetation control; and
- Access control such as traffic barriers and road closures (Spong, 2006).

This road plan should also include a comprehensive stormwater management system with cost estimates. Stormwater management design should include water quality inlets and vegetated roadside swales to reduce pollutants before entering natural waterways. Because these facilities will require routine maintenance by the county, homeowners associations, or the state, the plan should also identify resources and partners.

In these efforts, Jefferson County Planning and Zoning Department should work with state and emergency services providers to establish minimum roadway construction guidelines, including material, width, slope, horizontal and vertical curve requirements, and stormwater conveyance.

For future development, impact fees could be considered for lot construction that can be applied towards a road maintenance and stormwater planning. Future development can also include restrictions on private driveways that include provisions on maximum slope approach, roadside conveyance at street line, and management of stormwater flows from driveways onto the roadway.

Finally, any new roads must adhere to the state standards according to the West Virginia Department of Transportation. The state requires, for example, about 30 feet beyond the construction limits for the construction and maintenance of slopes, ditches, culverts, and fencing (State of West Virginia, 2006, pp.DD-301).

Additional state design directives include the following on lane widths:

- Local street lane width should be 12 feet for a single lane, and eight feet each for two lanes;
- Arterial roads should be 10-12 feet wide per lane, adding an additional 1-12 feet if heavy truck traffic is anticipated; and
- Parking lanes for local streets should be seven feet wide in residential areas, and eight feet wide in commercial areas (State of West Virginia, 2006, pp.DD-610).

5.3 Recommendations from residents and other stakeholders

The Blue Ridge Mountain Communities planning process presents a unique opportunity for Jefferson County to involve many different stakeholders. The creation of a common vision served as a cooperative, stakeholder-driven community process; residents and other stakeholders identified and built on their assets by stimulating community involvement and developing a stakeholder-driven vision to address watershed issues and concerns. The following statement about roads was included in the separate vision document: Participants envision the maintenance and improvement of the Mountain's

roads so they provide reliable access and minimize their environmental impacts. To accomplish this vision, residents and other stakeholders agree to the following actions:

- Identify and explore using Green Infrastructure techniques and BMPs for steep slope development and maintenance
- Study stormwater management for roads and prioritization of improvements
 - Identify and document problem areas during storms and provide information to the Division of Highways
- Involve the Department of Transportation in establishing stormwater BMPs for the Mountain
- Contact Allegheny Power regarding unsafe utility poles and lines
- Redesign and reconstruct base asphalt roads
- Establish standards for better road maintenance, including proper grading and gravel placement
- Remediate the effects of steep slope development by incorporating rain gardens or terracing, which have been used for thousands of years to decrease erosion from the fast flow of water
- Recycle/reuse of equipment and materials involved in road repair and maintenance
- Explore alternative(s) to the orphan road program

Residents and stakeholders participating in this process made the following suggestions to be considered when developing the watershed plan for the Mountain:

- Current problems on existing roads such as surface runoff and stormwater flowing from gravel roads and large trails
- Address impacts of new Route 9 (e.g., blasting effects on land and water, sediment pollution)
- Financial opportunities for road maintenance
- Road and culvert design and maintenance, ownership
- Infrastructure improvements (e.g., fire protection, roadways, emergency services)
- Mission Road is essentially a long cul-de-sac and needs an emergency exit to Virginia, as voiced often by Mountain residents. Options provided by residents include the following:
 - Shannondale Lane past Eagles Nest Lane to provide eastern access
 - An alternative access to the south
- Consider trained Mountain residents as a means to maintain roads
- Consider tax credits or help with equipment that qualified neighbors or homeowners associations could use to help properly maintain roads

5.4 Resources

The West Virginia University (WVU) Extension Service Environment and Natural Resources Forest Stewardship Program conducts site visits and offers technical assistance. Additionally, the Center for Dirt and Gravel Road Studies has created a reference manual for the maintenance of dirt and gravel roads that contains information and materials related to this topic:

http://www.epa.gov/owow/NPS/sensitive/EnvironmentallySensitiveMaintenance_DirtGravelRoads.pdf

6. CASE STUDY: LANCASTER COUNTY, PENNSYLVANIA

Several municipalities within Lancaster County, Pennsylvania have established subdivision and land development ordinances that specifically address development on steep slopes. For example, some ordinances require a steep slope report to accompany any development proposed on slopes exceeding 15%; this report must be prepared by a professional engineer with expertise in soil, geology, and construction. In addition, the report must provide a detailed description of the methods proposed to accomplish the following:

- protect and stabilize areas with high erosion potential;
- accommodate stormwater runoff;
- assume structural safety and minimize harm to the environment;
- assure adequate foundations for buildings; and
- protect and preserve valuable natural wildlife, plant habitat, and water quality.

Many municipalities in Lancaster County also require that a stormwater management plan be prepared for any earth disturbance exceeding 5,000 square feet. This often requires that stormwater management plans be prepared for the construction of a single family home on an existing lot of record. By adhering to the stormwater management regulations, even the construction of single homes must provide stormwater management facilities that result in no post-development peak flow rate increases after construction. Many ordinances also have provisions for water quality and groundwater recharge objectives that must be met within the stormwater management facilities. Where the site geology and soils permit, these requirements are often met with infiltration facilities such as sub-surface seepage pits, above-ground rain gardens, or capture and re-use cisterns.

Zoning large contiguous sections of wooded and steeply sloped areas as “Conservation Areas” is another approach that has been used by municipalities in Lancaster County and central Pennsylvania. These areas are associated with limited development rights and are typically associated with large minimum lot sizes (i.e., 10 acres) and low impervious coverage limits (i.e., less than 5%). The limited development is an alternative way to preserve water quality by minimizing the allowable areas on which to develop, keeping lot coverage to a minimum

6.1 Example project, Harbor Engineering

Harbor Engineering completed a project in 2010 in Lancaster County that serves as a more site-specific example. This project involved the construction of a single-family dwelling on an existing lot of record (± 2 acres). The lot is on an existing slope averaging approximately 25%, and was in a completely wooded condition. Public water and sewer were available to serve the site.

The first step in developing the property was to evaluate the pre-development stormwater runoff conditions. Because the area was in a wooded condition, its pre-development rate of runoff was low. The next step was to site the house and driveway, and prepare a site grading plan to minimize slope impacts. This stage required the design of appropriate stormwater management facilities to mitigate the increased runoff from clearing some of the woodland areas and adding impervious surfaces to the site.

In a desire to keep the visual and spatial impacts of the stormwater facilities to a minimum, sub-surface stone seepage pits were designed to collect the roof water from the proposed house and driveway and infiltrate it back into the ground. Qualified professionals dug deep probes and performed percolation

tests, as well as conducted a geological evaluation to ascertain the site's suitability to accommodate the proposed facilities. Because of the steep slopes and soil limiting zones found during testing, multiple seepage pits were placed along the hillside rather than one large facility.

In addition to the stormwater plans, erosion and sedimentation control plans were submitted to the County Conservation District to ensure that no sediment-laden runoff would leave the site and pollute adjoining properties and waterways during construction. See Appendix A for plan.

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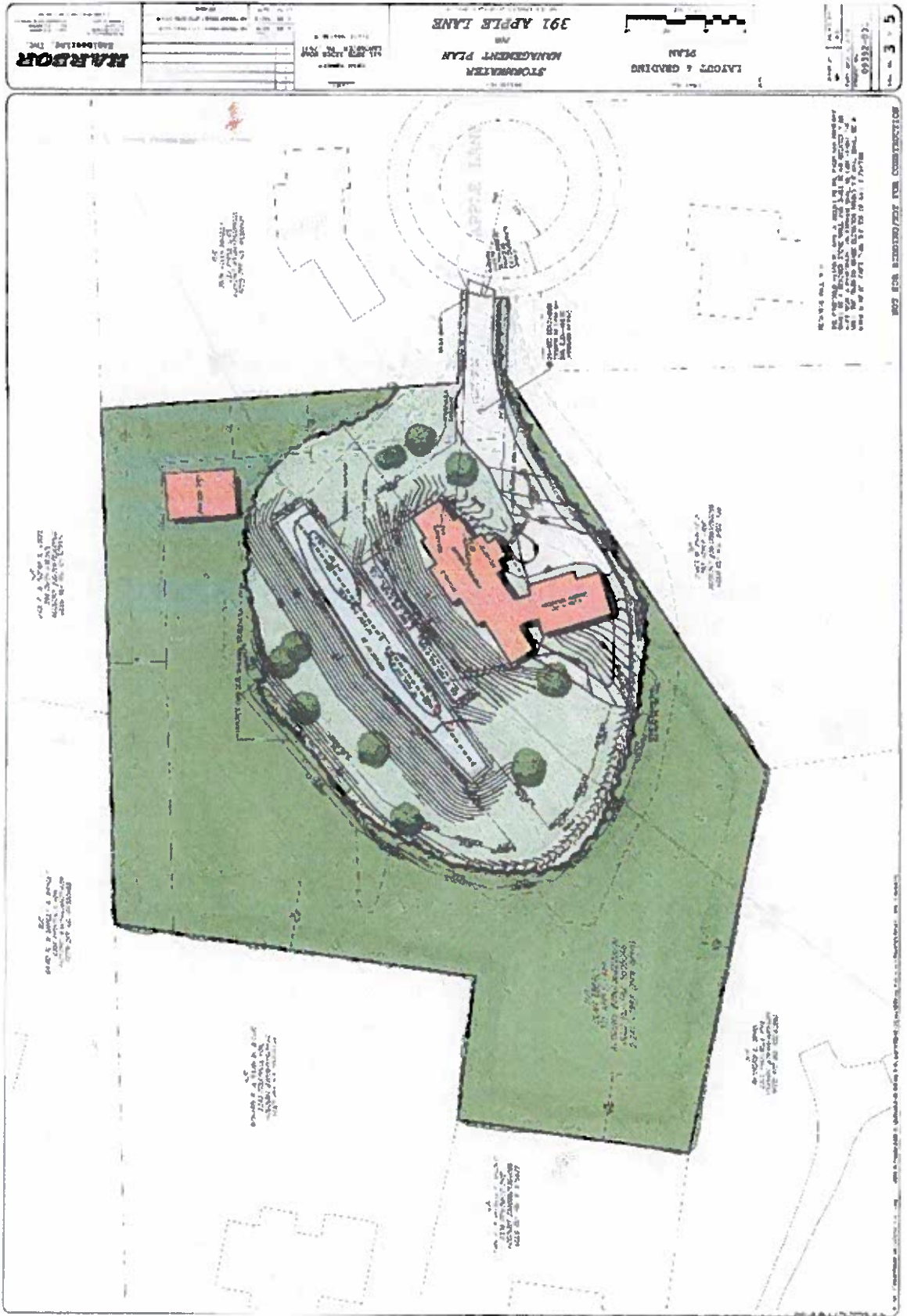
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APPENDIX A: CASE STUDY CONCEPTUAL DRAWING



Blue Ridge Mountain Communities Area Watershed Plan

Future of the Mountain: A Common Vision for the Jefferson County Blue Ridge Mountain Communities Area



PREPARED BY:

Downstream Strategies

219 Wall Street
Morgantown, WV 26505
www.downstreamstrategies.com
304.292.2450

Attention: Sera Zegre
sera@downstreamstrategies.com

FOR:

County Commission of Jefferson County, West Virginia

116 East Washington Street
P.O. Box 338
Charles Town, WV 25414

Attention: Seth Rivard,
Planning and Zoning Department
srivard@jeffersoncountywv.org

December 2, 2010

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ABBREVIATIONS

ATC	Appalachian Trail Conservancy
HOA	Homeowners' Association
USEPA	United States Environmental Protection Agency
WVDEP	West Virginia Department of Environmental Protection

TERMS

Best Management Practice (BMP)	EPA definition: "technique, process, activity, or structure used to reduce pollutant content of stormwater discharge" For this project: type of water pollution control
Geographic Information System (GIS)	A system that stores and displays statistical and demographic information linked to a map of the land area that it describes
Tributary	A stream or river that flows into a main river
Stakeholder	Any person or individual with a vested interest
Vision	A document that describes a picture for the future, created with input from Blue Ridge Mountain citizens, which will guide Jefferson County in creating a small area plan for the Mountain
Watershed	Area of land that drains into a river, lake, or bay

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1. INTRODUCTION

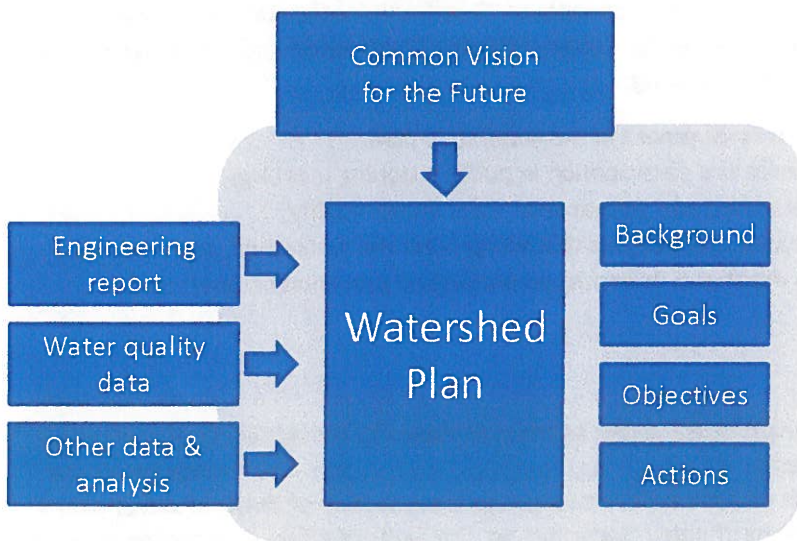
1.1 Background

The Blue Ridge Mountain Communities Area in Jefferson County West Virginia, referred to as “the Mountain,” lies within the Shenandoah River watershed. The Mountain area is bordered by the Shenandoah River to the west, the Appalachian Trail and Virginia line to the east, the confluence of the Potomac and Shenandoah Rivers to the north, and the Clark County, Virginia line to the south. Not only does the Shenandoah River serve as the community’s western border, but it also serves as a major tributary that affects the water quality of the Chesapeake Bay.

In 2009, President Obama signed an executive order mandating improved water quality for the greater Chesapeake Bay watershed, which includes six states and the District of Columbia. As the Shenandoah is part of the Chesapeake Bay watershed, the National Fish and Wildlife Foundation awarded Jefferson County a grant to develop a locally supported vision document and to create engineering recommendations, to guide the preparation of a locally supported watershed management plan for the Shenandoah River watershed in Jefferson County. Through the Blue Ridge Mountain Communities Area Watershed Plan, Jefferson County seeks to take a positive step toward protecting such a culturally significant area of the county and meeting the presidentially mandated order.

The goal is to create a watershed management plan that allows future development and improvement of the area, while maintaining or improving the water quality of the watershed. The visioning process served to both guide preparation of a watershed management plan to improve the water quality of the Shenandoah River, and also to incorporate the thoughts of Mountain residents and other stakeholders regarding the future. Beyond the vision document, relevant data, analysis, and resources will serve to ground the watershed plan; information presented in the engineering report will serve as a key component in the watershed plan (Figure 1).

Figure 1: Components of a watershed plan



2. THE STAKEHOLDER PROCESS

The Blue Ridge Mountain Communities planning process presents a unique opportunity for Jefferson County to involve many different stakeholders. The creation of a common vision is a cooperative, stakeholder-driven community process that serves to guide the planning process. The development of a common vision facilitates the creation of partnerships to help protect the distinctive features of the Mountain communities and the Shenandoah River watershed. This process also helps residents and other stakeholders identify and build on their assets by stimulating community involvement and developing a stakeholder-driven vision to address watershed issues and concerns. The stakeholder process is made up of a series of three facilitated public meetings with residents and stakeholders to create a common vision. Key components in this process include a website and citizens' committee.

2.1.1 Stakeholder meetings

A series of three facilitated meetings with residents and stakeholders allowed for the gathering of ideas to create a common vision. Each of the meetings built on the results of the previous meeting, and were held at various times, days of the week, and locations to allow for diverse participation.

The first stakeholder meeting encompassed outlining the planning and visioning processes, as well as an initial discussion of current assets and real or perceived areas of concern. The second meeting included an educational speaker presenting Best Management Practices (BMPs) for addressing stormwater runoff on steep slopes. A facilitated discussion followed the presentation. The discussion allowed residents and stakeholders the opportunity to expand upon the issues and assets collected during the first meeting. The third meeting allowed residents and stakeholders to refine the mission and vision statements contained within the draft vision document. All input received from the facilitated meetings was considered and incorporated into the final vision document.

2.1.2 Citizens' committee

The citizens' committee serves to provide information to, and relay input from, stakeholders. The Blue Ridge Mountain Watershed Citizens Committee consists of 23 self-nominated stakeholders and residents. They were appointed by the Jefferson County Planning Commission and the Department of Planning and Zoning to assist with the following:

- Inspire wide-ranging citizen involvement in the watershed plan,
- Encourage citizen attendance and participation in public visioning meetings,
- Identify threats to the watershed and Shenandoah River water quality,
- Identify economic opportunity mechanisms that will protect the watershed, and
- Communicate the shared vision and its impact on watershed preservation goals to the community.

2.1.3 Website

A website dedicated to the planning process serves as another means to provide updates and collect feedback for both the vision and plan: www.blueridgecommunitiesplan.com. The county-developed interactive website serves multiple objectives. It broadens the cross section of involved stakeholders and provides for an alternative means of public participation. The website offers information about the process, including the grant proposal, updates, meeting notes, and maps. The website also functions as a place for the public to contact the county with questions, suggestions, and comments.

3. VISION FOR THE FUTURE OF THE MOUNTAIN

The following mission statement was adopted by participants to guide the visioning process:

To work together to preserve existing qualities and create a viable picture for the future of the Mountain to guide Jefferson County's Blue Ridge Mountain Communities Area watershed plan.

3.1 Respect for Mountain residents' property rights while in pursuit of maintenance and improvement of water quality

Residents and stakeholders continually expressed that they would like to see that existing laws, rules, and regulations are considerably and properly enforced. Participants also expressed that they would like to see a manned sheriff substation on the Mountain. Additionally, many understood the potential need for new future regulations to protect the watershed and Mountain residents, as well as to preserve the personal property rights enjoyed by Mountain residents.

The Mountain has a culture of self-sufficiency. Many residents realize that there is a healthy balance between landowner rights and local and state regulations. In addition to the Mountain culture, several citizens expressed that the Homeowners' Association (HOA) covenants, relative to their communities, were another attraction to becoming a Mountain resident. As such, any newly proposed rules or regulations need to respect the balance between law and property rights. Some participants of the visioning process felt that providing options may inspire residents to maintain and improve water quality, while still allowing for positive landowner choices.

3.2 Protection of the Mountain's unique natural features and social resources to preserve its quality of life

Participants of the process expressed the importance of identifying the existing natural and social resources currently on the Mountain, so that they can be preserved. The identification of these resources began while collecting input from residents and stakeholders at the facilitated meetings. The identification process is ongoing and can be amended and refined during future planning efforts.

3.2.1 *Natural features*

Residents and stakeholders participating in this process want to see the Mountain retain its character and natural beauty. To this point, negative impacts upon the habitat have been minimized. Additionally, participants want to see current tree canopy preserved. The Mountain topography, trees, and vegetation serve to mitigate soil erosion and runoff. Protected natural features also maintain the current beauty and quality of life and create opportunities for recreation and tourism.

Natural features to be protected and enhanced include the following:

- Natural beauty and features, fish and wildlife, trees and vegetation
- Headwaters, streams, springs, and pristine waterways that can be used for "baseline" research
- Topography
- The Shenandoah River and its economic opportunities for outdoor recreation and tourism
- Large parcels of undeveloped land that serve as a wildlife corridor such as Rolling Ridge Foundation; research future easements for conservation

3.2.2 Social resources

Social resources to be fostered include the following:

- Personal and community responsibility, love of the Mountain, willingness and passion
- Cultural and social communities, varied interests, and diversity
- Churches
- History of the Mountain, long-standing owners, history of ownership
- Mountain culture of self sufficiency
- Local experts, ingenuity
- HOAs
- Appalachian Trail

3.2.3 Future considerations

Residents and stakeholders participating in this process made the following suggestions to be considered when developing the watershed plan for the Mountain:

- Record the history of the Mountain
- Create parks with river access
- Expand recreational resources, such as ball fields and programs offered through Jefferson County Parks and Recreation
- Research land available for parks or a recreation center
- Explore building an all-terrain vehicle track, as long as it does not impair water quality
- Develop trails and campsites on West Virginia Division of Natural Resources property

3.3 Preservation of the existing development pattern that makes the Mountain so attractive to its residents

Longtime property owners and newcomers to the Mountain enjoy the natural feel and wooded landscape of their personal property on the Mountain and seek to maintain these elements. Looking to the future, residents seek the preservation of the natural feel and wooded landscape on the Mountain that contrasts with the urbanized feel of the neighborhoods in the valley. Recognizing that many lots were platted in high density patterns, with some areas originally meant for campsites, the housing units compared to the number of platted lots are low within these areas.

Although there was not a consensus among participants on this specific issue, some residents would like to see some commercial development in the future. The types of development suggested, which should possibly be discussed in more detail during future planning efforts, included small market stores, a gas station, a hardware store, and parks and recreational opportunities.

3.3.1 Future considerations

Residents and stakeholders participating in this process made the following suggestions to be considered when developing the watershed plan for the Mountain:

- Explore non-contiguous development rights
- Increase minimum lot size to result in low density
- Determine maximum build-out and limit density
- Use slope calculations when building to avoid building in inappropriate areas

3.4 Maintenance and improvement of the Mountain's roads so they provide reliable access and minimize their environmental impacts

Participants agreed that the Mountain's roads should be maintained and improved to provide access with minimal environmental impacts. To accomplish this vision, they suggested the following actions:

- Identify and explore using BMPs for steep slope development and maintenance
- Study stormwater management for roads and prioritization of improvements
 - Identify and document problem areas during storms and provide information to the West Virginia Division of Highways
- Involve the Department of Transportation in establishing stormwater BMPs for the Mountain
- Contact Allegheny Power regarding unsafe utility poles and lines
- Redesign and reconstruct base asphalt roads
- Establish standards for better road maintenance, including proper grading and gravel placement
- Remediate the effects of steep slope development by incorporating rain gardens or terracing, which have been used for thousands of years to decrease erosion from the fast flow of water
- Recycle/reuse equipment and materials involved in road repair and maintenance
- Explore alternative(s) to the orphan road program

3.4.1 Future considerations

Residents and stakeholders participating in this process made the following suggestions to be considered when developing the watershed plan for the Mountain:

- Address current problems on existing roads, such as surface runoff and stormwater flowing from gravel roads and large trails
- Address impacts of new Route 9 (e.g., blasting effects on land and water, sediment pollution)
- Explore financial opportunities for road maintenance
- Reassess road and culvert design and maintenance, ownership
- Consider infrastructure improvements (e.g., fire protection, roadways, emergency services)
- Consider alternative emergency exit options to Virginia besides Mission Road, which is essentially a long cul-de-sac. Options provided by residents include the following:
 - Shannondale Lane past Eagles Nest Lane to provide eastern access
 - An alternative access to the south
- Consider trained Mountain residents as a means to maintain roads
- Consider tax credits or equipment that qualified neighbors or HOAs could use to maintain roads

3.5 Use of stormwater best management practices for new construction on the Mountain to mitigate erosion and protect water quality

The use of stormwater BMPs will minimize stormwater runoff and reduce pollutants in ground and surface water. The goal is to have no negative effect on the Shenandoah or the Chesapeake Bay. Participants suggested applying these practices to new development so that, for example, any new development would be in appropriate areas. Some suggested that existing residents not be burdened with new development regulations; others suggested that voluntary use of BMPs on existing development where necessary may not be enough to address stormwater runoff and promote watershed health. Participants expressed concern regarding individual lot regulations that affect their property rights; participants envision creative alternatives and flexibility in the use of BMPs.

3.5.1 Future considerations

Residents and stakeholders participating in this process made the following suggestions to be considered when developing the watershed plan for the Mountain:

- Use BMPs for stormwater management, including the following specific suggestions:
 - Retain greenspace to promote natural stormwater filtration
 - Incorporate wildlife and habitat in new development
 - Preserve natural resources such as trees
 - Stabilize ground when clearing for development
 - Prevent clear cutting
 - Use mitigation measures
 - Replant to reduce runoff
 - Use slope calculations when building to maintain and improve water quality
 - Use terracing on slopes
 - For new houses, install a 1,000 to 1,500 gallon tank in the ground to catch roof runoff, and install a 6'x3'x3' ditch filled with stone at the end of the driveway
- Have individual land owners control their own stormwater runoff on their property (e.g., with terracing of steep slopes, graduated method)
- Consider holding Certificate of Occupancy until site work is complete
- Have offenders fix the problem they created; if noncompliant, perhaps county can collect bids to fix problem and bill the cost to the offender
- Increase enforcement; hire more compliance officers to ensure compliance with federal, state, and local regulations

3.6 Maintenance of the Mountain's existing private wells and septic systems and existing public water systems where necessary to ensure clean drinking water, as well as clean rivers and creeks

During the visioning process, citizens of the Mountain agreed to support the maintenance of existing private and public systems where necessary to ensure clean drinking and surface waters. Participants also agreed that Jefferson County consider property rights when assessing land use regulations on individual lots. Many participants expressed strong concern regarding public water and sewer systems.

3.6.1 Future considerations

Residents and stakeholders participating in this process made the following suggestions to be considered when developing the watershed plan for the Mountain:

- Maintain existing septic systems (e.g., enhance responsibility, implement a 5-year pump-out)
- Address potential or real issues with existing septic systems (i.e., leaking septic systems)
- Improve enforcement of rules and laws with septic installation and inspection process; many federal, state, and local regulations apply
- Explore improvements to existing water system, but not necessarily city water
- Explore opportunities for grey water collection
- Explore use of composting toilets
- Address tourism/recreation issues (e.g., Appalachian Trail visitors use bathroom on trail)
- New developments should explore the use of community wells and community septic
- Provide education, as well as technical resources and grants from the Health Department
- Explore tax breaks and grant monies for maintaining septic

4. MOVING FORWARD

4.1 Collection and use of baseline water quality data on the Mountain, and support of water quality monitoring into the future

Participants in the visioning process had the most consensus and passion about collection and use of water quality data. Some participants expressed, for example, that this data collection was long overdue. Participants agreed that baseline water quality data must be collected and analyzed before and during the watershed planning processes to identify water quality problems (if any), as well as type and source. More specifically, participants also suggest identification of pollution from connected watersheds to detect what is coming into the Shenandoah from upstream in Virginia, for example. After baseline data are collected, participants support ongoing stream monitoring, especially as way to meet the United States Environmental Protection Agency (USEPA) standards for the Chesapeake Bay.

4.1.1 Future considerations

Residents and stakeholders participating in this process made the following suggestions to be considered when developing the watershed plan for the Mountain:

- Divide the water quality data and monitoring efforts by subwatershed, to better identify and highlight water quality successes and address water quality issues
- Incorporate a well study at Westridge Hills
- Continue to fund the Shepherd University water study (expand, make public)
- Establish a publicly accessible consolidated database of archived water study data
- Install automatic water sampling systems with five-year commitment in locations on the Shenandoah and Potomac Rivers
- Support water quality studies conducted by Shepherd University and local scientists
- Examine practices and plans of similar communities (e.g., gravel roads, karst, wooded, mountainous areas)

4.2 Use of education as an important component of allowing development while maintaining water quality

Participants agreed that awareness about the Mountain's current conditions and assets is as important as education to protect and improve water quality. In addition, participants suggested spreading the word about available assistance programs. This education and awareness can happen every day, communicating with our neighbors and within our community. County officials, enforcement agents, politicians and residents, as well as other stakeholders such as realtors and developers, are the primary focus for education efforts about rules, regulations, and BMPs.

4.2.1 Future considerations

Residents and stakeholders participating in this process offered suggestions about who and what to teach, as well as ideas as how that education could occur. The following suggestions to be considered when developing the watershed plan for the Mountain:

Who and what to teach

- Residents and developers about stormwater BMPs for development, roads, and culverts
- Landowners, HOAs, and individuals about using graders on roads to WVDOH standards
 - WVDOH has permit process to allow residents to do some work on the roads
- Residents on water usage and disposal (“Every drop matters”)
- Residents on septic maintenance
- Residents and lawn care businesses on the proper use of lawn fertilizer, pesticides
- Decision makers on the disparity of tax dollars collected and spent on Mountain by the County

How to educate

- Educate by subwatershed to address the community and issues specific to particular areas
- Define issues specific to each Mountain area (e.g., by subwatershed) so that residents can be informed about the issues that affect them directly
- Start at elementary school level
- Develop a program geared to youth groups such as Boy Scouts or Girl Scouts
- Make a library of educational resources accessible
- Make use of existing community-created website for Mountain-specific topics
- Hold monthly water quality workshops to inform public of ways they can help
- Re-establish HOAs in the various Mountain communities to inspire personal responsibility
- Suggest that realtors use a disclosure form at closing to disclose special circumstances regarding protection of waterways on the Mountain (e.g., stating that the roads are only state-maintained and there is not an HOA to address any community-shared responsibilities)

4.3 Identification and use of key tools in planning efforts

Residents and stakeholders participating in this process identified key resources for the development of the watershed plan for the Mountain. The following were suggested as beneficial resources:

- Existing stream monitoring and analysis
 - Rolling Ridge Foundation
 - Shepherd University
 - West Virginia Division of Forestry has identified Appalachian Trail as a focus area
- GIS data from the ATC and local office, Appalachian Trail Park office
- Loans to fix failing septic systems
 - West Virginia Housing Development Fund
 - Central Appalachia Empowerment Zone
- State programs to help owners with replacing vegetation
- Federal grant programs such as the Clean Water Act Section 319 funds
- Engineers with expertise on flooding, historical data, and karst topography
- Law enforcement litter control programs
- Use of public perception surveys in key locations

4.4 Integration and active participation of key partners in planning efforts

Besides key tools, residents and stakeholders participating in this process identified key partners to include when developing the watershed plan for the Mountain, and other planning efforts. The partners identified included local groups and government entities, as well as relevant state and national groups.

Local groups include, but are not limited to, the following:

- Landowners and residents
- Volunteer groups
- Churches
- Educators
- School boards
- HOAs (e.g., Jefferson County Organization of HOAs)
- Garden clubs
- Senior programs
- Homemaker groups (or similar)
- Businesses
- Recreational use and tourism businesses (such as River Riders)
- Mountain Lake Club
- Lawn maintenance companies (regarding chemicals)
- Realtors
- Builders
- Blue Ridge Litter Lookout (BRILLO)
- Rolling Ridge Foundation
- Appalachian Trail Conservancy
- Friends of the Shenandoah River
- Shenandoah River Keepers
- Sportsman's groups and hunting clubs
- Shepherd University
- Blue Ridge Environmental Coalition

Government entities include, but are not limited to, the following:

- Fire departments
- Law enforcement
- Jefferson County Planning and Zoning Departments
- Jefferson County Commission
- Water Advisory Committee
- Jefferson County Economic Development Authority
- Jefferson County Health Department
- State Delegates and Senators
- West Virginia Department of Transportation
- West Virginia Division of Highways
- WVDEP
- West Virginia Division of Natural Resources
- State Historic Preservation Office
- State and local representatives

Relevant state and national groups include, but are not limited to, the following:

- West Virginia Rivers Coalition
- Environmental and conservation groups
- Harper's Ferry National Historic Site
- Appalachian Trail Park office
- Virginia delegate or representative
- Telecom industry, power companies
- USEPA

Ronda Lehman
334 River Rock Run
Harpers Ferry, WV 25425
304-261-8070

Jefferson County Planning Commission
Jefferson County Commission
Po Box 338
Charles Town, West Virginia, 25414

July 22, 2014

To the Honorable members of the County Commission,

I am writing to commend the commission on the open, and transparent process used to craft the new Comprehensive Plan.

I have a few comments concerning recreation and parks. As a Blue Ridge resident, mother, coach, boy scout leader, ardent boosters supporter, and little league parent, I can tell you that organized recreation for mountain families that can be found on the Blue Ridge is lacking. Mountain children are shuttled to the opposite ends of the county on a daily basis to participate in little league, youth football, Ayso soccer, music lessons, etc. This is not only cumbersome to our families, in our time spent on the road, and fuel bills, but it also excludes a large segment of our population from participating in these activities.

As an active member in youth development as the Jefferson County Teen Court Coordinator, I can tell you that active, busy kids, have less time to get into trouble. Positive influences result from organized sports and activities, and I believe this would be of great benefit to our Blue Ridge families.

By 2035 it is my hope that the Blue Ridge Communities will have their own indoor recreational facility – similar to the Ranson Civic Center, baseball/softball fields, and a community center large enough to support summer programs for children, teens, the elderly, as well as serving as a community disaster shelter. The Blue Ridge Mountain touts as many residents as Charles Town and Ranson combined. Our need for these facilities is already apparent to mountain families.

It is my hope that recreational outlets for the Blue Ridge communities will be included in the new comprehensive plan. Thank you for your consideration of my request.

Sincerely,


Ronda Lehman, Blue Ridge Resident
Jefferson County Teen Court Coordinator

From: [Robert Linde](#)
To: envisionjefferson2035@jeffersoncountywv.org
Subject: 2035 draft plan
Date: Sunday, July 27, 2014 9:10:13 PM

In regards to the **Envision Jefferson 2035 Comprehensive Plan Steering Committee's** draft plan, I want to commend and reemphasize the stated need for central locations and walkways for future schools. It is by no means frivolous to make school attendance more convenient. Three reasons this is important: 1. It will make a neighborhood more attractive to new tax-paying residents; 2. this will centralize neighborhoods bringing them more together as communities, and safer as well; 3. As fuel prices climb and transportation costs skyrocket, by 2035 there will undoubtedly be a greater need for consolidation and saving.

Thank you,

Robert Linde
PO Box 465
Harpers Ferry
WV 25425

Envision Jefferson 2035 – Jefferson County’s Path to the Future

Suzanne Malesic

Envision Jefferson 2035 Steering Committee Member

07.22.14

WV law §8A-3-1 stated the Steering Committee’s limits and scope of action, please review that law before reviewing the 2035 Comp Plan.

Envision 2035 Comprehensive Plan is a **CONCEPT document, not a policy document as was the 2004 Comp Plan.**

Our legal instructions did not allow for specific cost, budget or number estimates, new zoning laws or a litany of new ordinances - but instead - it contains ideas and concepts that can be enacted together to guarantee a stable future combining planned growth and quality of life elements for all Jefferson County residents and interested parties.

The Envision 2035 Steering Committee’s responsibilities were:

- to listen to and consider the viewpoints of the County’s residents, constituents, associations, agencies, commercial, business and interest groups and to respect their missions, goals, resources and contributory roles during the next 20 years**
- to guarantee each property owner’s rights**
- to project the County’s future economic opportunities by respecting all commercial and business growth plans, employment and economic needs**
- to project the County’s growth and housing needs by accounting for infrastructure support capabilities and state realistic guidelines**
- to represent the strong partnership roles for the County’s many artistic, agricultural, rural, cultural, community, educational, historical, natural and recreational resources**

Envision Jefferson 2035 is:

- a directional document for the use of the Jefferson County government to reference as a basis for all future actions and decisions beginning in January 2015**
- a Comprehensive Plan that allows for variances and adjustments to be made by current & future Planning Commissioners and County Commissioners, while supporting the Comp Plan’s long term goals**

In conclusion:

The Steering Committee is fully aware that there are limits and difficulties in addressing technical & economic future guidelines when current concepts are swiftly evolving and emerging in different forms almost daily.

- Vocabulary to describe many concepts hasn’t been developed as yet.**

The Envision 2035 Comprehensive Plan should be viewed as a 'road map' for the County's future, short & long term. It contains many ideas and proposals not ready for implementation - but - can be very applicable to County conditions within a few years. Severely deleting goals or implementation strategies – all of which are interconnected and intra-supportive - might mean losing vital ideas or complete concepts that will become operable during the County's next 20 years.

Neither the Steering Committee nor the Jefferson County government can promise certainty, but the Steering Committee has provided a path for development and growth that respects the resident's, businesses' and agricultural community's needs and requests.

Thank you.

Envision Jefferson 2035

Final comments

July 28, 2014

Cricket Morgan

PO Box 130, Rippon, WV 25441

304-725-6670

Comments:

The volunteers and Planning & Zoning staff have created a "vision or concept" for the Jefferson County next Comprehensive Plan as required by West Virginia State law. There has been much time and thought from all parties including Jefferson County's citizens. Now it falls to the Jefferson County Commission and Staff to take great care to protect those thoughts for the citizens of the County & for our County so rich in history.

It is important that designations, Urban Growth, Villages & Rural, areas be well thought out. The JC Commission & Planning & Zoning need to assess the suitability of each property to each development project, especially "Industrial/Commercial" zones in sensitive areas such as Long Marsh (Kabletown) or Harpers Ferry Quarry (Millville).

"Urban Growth" needs to be developed along with real proposed & funded infrastructure which will service this development & the citizens for the future. Urban Growth will place the most demand on Jefferson County's systems & environment.

Historic & rural areas need to be encouraged & aided to be sustainable, productive, economic participants in the County structure & future.

Thank you,
Cricket Morgan

Swami Nathan, MD
198 Thomas Johnson Drive
Suite 207
Frederick, MD 21702

July 22, 2014

Jefferson County Planning Commission
P.O. Box 338
Charles Town, WV 25414

Dear Commissioners,

Thank you for the opportunity to comment on the proposed Comprehensive Plan for Jefferson County. My representative and I have attended nearly every meeting during this process. I have a great interest in the process because I have had an ownership interest in a large property along Route 340 since 1984 (before zoning). This property is approximately 236 acres and is described as Tax Parcel 30 on Tax Map 8 in the Charles Town Tax District. The property was formerly known as Walnut Hill Farm and is located between the parcel of land that contains Walmart and Country Club Road.

I have submitted several letters during the process, so I will make this request very simple. My property is currently located in Ranson's Urban Growth Boundary and is zoned as Residential Growth in Jefferson County. My property is also in the 'Growth Area' on the only future land use map in the **2004 Jefferson County Comprehensive Plan (map attached)**. Although my property is shown on the proposed future land use map in the draft plan as mixed-use, I would also like it to be included in the Preferred Growth Boundary on that map. I understand that my property has the protection of the existing zoning designation and is afforded many growth possibilities since it is located in an Urban Growth Boundary; however, I would like this last assurance for the future protection of my property. I believe that the Preferred Growth Area along Route 340 should be at least the same size and location as it is in the 2004 plan. Therefore, please extend the boundary of the Preferred Growth Area around my property.

This property has been in my family for almost 30 years. Even though we chose to farm the property during several housing booms, we would like to continue to have the option of developing this property in the future. In order to do that, it is vital that it continues to be located in the preferred growth area in any Jefferson County Comprehensive Plan. I know that the existing Staff believes that this property's vested property rights have been protected in the draft Comprehensive Plan. However, assurances by the County's Planning and County Commissions that this is a part of the Preferred Growth Area on the Future Land Use Map will bind the Commissions as well.

Thank you for the opportunity to participate in the process. The Staff have been very courteous and helpful during this process.

Sincerely,



Dr. Swami Nathan

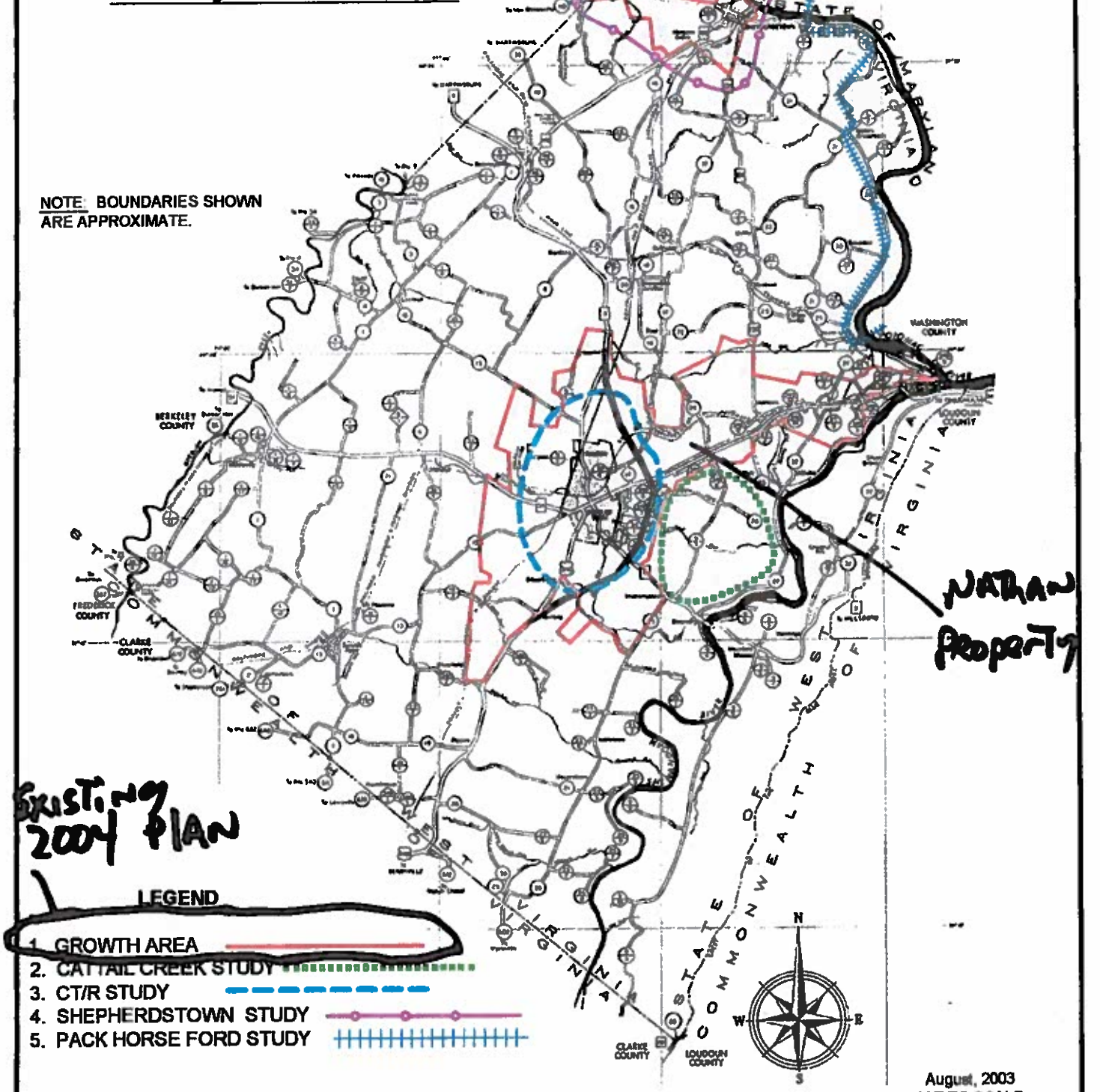
cc: Jefferson County Commission

2004 Comp Plan Growth Area

Jefferson County
West Virginia
Planning Commission

Study Area Map

NOTE: BOUNDARIES SHOWN
ARE APPROXIMATE.



Existing
2004 Plan

LEGEND

- 1. GROWTH AREA —————
- 2. CATTAIL CREEK STUDY
- 3. CT/R STUDY - - - - -
- 4. SHEPHERDSTOWN STUDY —●—●—●—
- 5. PACK HORSE FORD STUDY | | | | |

NATHAN
Property

August, 2003
NOT TO SCALE

Proposed Future Land Use Map

NATHAN PROPERTY

Preferred Growth Area



Ranson

KEYES FERRY RD

MARLOW RD

OLD COLUMBIA RD

Flowing Springs Run

MALDEN RD

BLAIN RD

340

MILVILLE RD

Shenandoah
BLOOMERY

BAKERTON RD

Shenandoah

Pam Parziale

Comments to Planning Commission Public Hearing July 22, 2014

I have served on the Envision Committee for 18 months. The time spent listening, reading, studying, has given me a comprehensive view of our county.

First, this document is a consensus report. It reflects the hard work necessary to reach a compromise in a number of areas.

Second, it is better to plan for growth and development and have it occur in a cost-effective way. We acknowledge that there is less risk and makes better economic sense if one knows where growth and development take place.

Third, ^{the plan recommends for example,} the placement of water and sewer lines, essential infrastructure, ~~that~~ occur where it is most cost effective.

Fourth, the report makes clear that there is a process for future growth and development.

Fifth, the economic sustainability of our farming community is essential to Jefferson County. The report includes innovative and supportive recommendations that allow agriculture to thrive in Jefferson County.

I acknowledge that for the recommendations to be implemented will require the support of our legislators in Charleston. Twelve areas will benefit from legislative cooperation: *state enabling legislation*

1. Historic structures and adaptive re-use.
2. Engineering, housing and building codes.
3. DOH: right of ways, road alignments.
4. Business regulations and licenses in support of breweries, wineries, and distilleries *the artisan community.*
5. Water and sewer infrastructure.
6. MARC: state funding.
7. Roads: implementation of WV Code 17-4A1, "complete streets."
8. DEP: storage of hazardous materials, quarries and timber extraction.
9. Dept. of Ed: Funding formula.
10. EMS and Fire services, combined fees.
11. Local Powers Act.
12. Housing regulations and Impact Fees.

From: susan.fagan
To: planningdepartment@jeffersoncountywv.org
Subject: Envision Jefferson 2035 Comprehensive Plan comments
Date: Monday, July 28, 2014 3:26:29 PM

Dear Planning Staff,
Congratulations on what is clearly a lot of hard work and dedication.
You should be extremely proud of the document thus far.

Regarding the Comprehensive Plan recommendations, I would like to make the following comments:

1. The PGAs and UGBs (referenced as goals on p30, but discussed throughout the plan) are excellent concepts that provide valuable context for the citizens and business community to understand where growth and development are best suited in Jefferson County.
2. We moved to Jefferson County partly because of the scenic, rural character and open spaces. It was disappointing, however, to find suburban developments (i.e. Wright's Field, Gap View Village, Preserve at Barleywood, Steeplechase, etc) peppered around the countryside far from municipal services and utilities. I strongly support the Plan's recommendation to change from the LESA/CUP method to a cluster provision for residential development in rural areas as described in Goal 2, Item 4 on page 41.
3. I think the entire County can benefit from more bike trails. Specifically, a trunk from Shepherdstown to Ranson/Charles Town would help safely connect these town communities and provide more recreation (and commuting) opportunities. Our back country roads have too many blind turns and hills to safely share with motorists. Item 7a on p118 recommends ROW collaboration with DOH, but I also urge the County and HEPMPO to explore the possibility of sharing the Norfolk Southern rail line ROW as well. I realize that is a long shot, but it doesn't hurt to ask, right?
4. I support the goal for a true dog park with separate dog areas and a secure way to keep dogs inside. The current "dog park" is really a multi-use large fenced area with too many gates far apart that get left open. And it is closed a lot with no advanced notice, due to other uses of the large area. It seems like we could fence off one small side of the current dog park and make it a lot more useful as a dog park.

Thank you for your time, your effort and the opportunity to contribute to this important project.

I look forward to seeing the Plan shape our future in Jefferson County.

Susan Pearce
24 Pine Knoll Rd.
Shepherdstown, WV 25443

The way things are changing to plan so far into the future is not a good idea for example the income from the casino?

I think the environment is Number one so maybe concentrate on Guide Lines to allow for population growth so the county stays a nice place to live.

I was going to make a joke about the Comprehensive plan being incomprehensible but this is a ^{important} ~~matter~~ matter that needs a lot of thought.

And experience do the best you can for everybody. Thank's

Bernard M. Simpson

P.S. ~~The~~ the New Residents impact fee should be used for New water treatment plants. I.E. the Developer's should build their own treatment plants.

From: [Ellen Smith](#)
To: envisionjefferson2035@jeffersoncountywv.org
Subject: Comment on Envision Jefferson 2035
Date: Saturday, July 19, 2014 11:06:56 AM

It is very important to plan for our future and our children and grand children's future. Towards that end, we should keep in mind that the roads, bike trails, housing, and land use decisions, will all have an effect on their future. If Envision Jefferson could envision what that future will look like then it is imperative to plan with that future in mind.

Please keep in mind preservation of land, preservation of farm land and non-toxic uses of land. One can plan to use land wisely and develop using green practices and keep green spaces available for "the commons."

Here is a link to what could be done. http://www.epa.gov/dced/sg_guidelines.htm

Thank you for taking care of the future of our children.

Ellen Smith

SMART GROWTH GUIDELINES FOR SUSTAINABLE



DESIGN & DEVELOPMENT

A PROJECT OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY
SMART GROWTH IMPLEMENTATION ASSISTANCE PROGRAM &

THE CONNECTICUT CAPITOL REGION COUNCIL OF GOVERNMENTS

NOVEMBER 2009

JONATHAN ROSE COMPANIES LLC
WALLACE ROBERTS AND TODD

SMART GROWTH GUIDELINES FOR SUSTAINABLE DESIGN AND DEVELOPMENT

ACKNOWLEDGEMENTS

Many organizations and individuals contributed to the preparation of these Guidelines and the companion report, Together We Can Grow Better: Smart Growth for a Sustainable Connecticut Capitol Region. The staff from the U.S. Environmental Protection Agency's Smart Growth Program and the Connecticut Capitol Region Council of Governments were instrumental to shaping the project and provided key insight on issues at the local, regional, state and federal levels. Other contributors during the planning process include local municipalities in the Connecticut capitol region, Connecticut state agencies, and not-for-profit entities focused on smart growth, quality, affordable housing, and green building. The multiple entities from the public, private and not-for-profit sectors are provided below.

SPONSORS

U.S. Environmental Protection Agency
Capitol Region Council of Governments

PARTNERS

1,000 Friends of Connecticut
American Farmland Trust
Center for Integrated Design
Connecticut Department of Economic and Community Development
Connecticut Department of Environmental Protection
Connecticut Housing Finance Authority
Connecticut Main Street Center
Homebuilders Association of Connecticut
HOMEConnecticut
Partnership for Strong Communities
Regional Plan Association
Town of Bloomfield, Connecticut
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OTHERS

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ABOUT THE SPONSORS

Smart Growth Guidelines for Sustainable Design and Development is sponsored by the U.S. Environmental Protection Agency and the Capitol Region Council of Governments.

U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Policy, Economics, and Innovation's Smart Growth Program

Founded in 1970, EPA leads the nation's environmental science, research, education and assessment efforts. The mission of the Environmental Protection Agency is to protect human health and the environment. EPA's Smart Growth Program helps communities improve their development practices by working with local, state, and national experts to discover and encourage successful, environmentally-sensitive development strategies.

For more information: <http://www.epa.gov/smartgrowth>

CAPITOL REGION COUNCIL OF GOVERNMENTS

The Capitol Region Council of Governments (CRCOG) is the largest of Connecticut's 15 regional planning organizations. CRCOG was established under the Connecticut General Statutes in 1978 as a voluntary association of municipal governments serving the City of Hartford and 28 surrounding suburban and rural communities. CRCOG is governed by the chief elected officials of the 29 metro Hartford municipalities. The region is 760 square miles in size and houses approximately 741,303 residents. CRCOG is dedicated to expanding the concept of voluntary cooperation among its member municipalities as the means to successfully respond to many of the region's pressing governmental and public challenges. CRCOG members recognize that the future of individual municipalities is tied to the future of the region as a whole and have collaborated for more than 30 years on a wide range of projects.

For more information: <http://www.crcog.org/index.html>

ABOUT THE AUTHORS

Jonathan Rose Companies is a green real estate policy, planning, development, owner's representative, and investment firm whose mission is to repair the fabric of communities while preserving the land around them. The firm works with cities, not-for-profit organizations and private clients to develop creative solutions to real estate challenges. A leading green urban solutions provider, we understand buildings, neighborhoods, cities, regions, and the nation as complex, adaptive, and interdependent systems. Our goal is to help metropolitan regions become more resilient, competitive, and equitable. We believe that our integrated, multi-disciplinary approach to policy and practice is the key to achieving transformative change. Founded in 1989 by Jonathan F.P. Rose as a mission-based practice, the firm is recognized for its ability to achieve visionary goals through practical strategies and affordable green urban solutions. Jonathan Rose Companies has offices in the East Coast, Southwest, and Rocky Mountain regions.

For more information: <http://www.rosecompanies.com>

Wallace Roberts and Todd is a collaborative practice of city and regional planners, urban designers, landscape architects, and architects who create vibrant, imaginative, and sustainable places at many scales. Our work reinforces the integrity of cities and regions and seeks to enhance their quality of life—whether retaining a community's identity and sense of place, promoting more sustainable suburban patterns, protecting urban communities from sprawl, integrating nature into urban patterns, or revitalizing city centers. Successful plans give tangible expression to the aspirations and values of citizens, and we employ a range of techniques to engage community members so that the planning process reflects their priorities and builds consensus. Urban design is the crucial middle scale between large-scale planning and the design of individual sites. Urban design frameworks organize and guide the efforts of designers and developers of public space and individual private parcels so that these works contribute to the larger collective task of community building. We believe that development patterns are most successful when they acknowledge the vital function of public space networks, environmental systems, building typologies, and the many economic factors that affect them.

For more information: <http://www.wrtdesign.com>



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Resources 22&





INTRODUCTION &

According to the U.S. Census Bureau, population in the United States is projected to grow from 305 million in 2009 to 439 million people in 2050, and an estimated 89 million homes and 190 billion square feet of new offices, institutions, stores, and other non-residential buildings will be built. That means that approximately two-thirds of total development on the ground in 2050 will have been built between now and then, which creates great opportunities and responsibilities to develop in a manner that addresses the resiliency of our communities to respond to the impacts of a changing climate and resource demand and production equitably and sustainably.¹ This major increase in population and development presents

several critical opportunities for communities, regions, and states to grow smarter; invest in existing communities and infrastructure, and green their existing and future building stock. However, without a coordinated local, regional, and national commitment to green and sustainable development and infrastructure practices to support transit-oriented development in smart locations, costs associated with energy consumption and demand, natural resource and open space depletion, as well as greenhouse gas emissions will continue to escalate at unprecedented rates.

Many communities and regions around the country are looking for ways to grow smarter that use less land and energy; provide safe,

¹ "Leadership in a New Era, Nelson, A.C., Journal of the American Planning Association, Vol. 72, no. 4, 2006, pp. 393-409

affordable housing options for people of all incomes and ages, and support transportation options such as walking, biking, and public transit. A recent study suggests that increasing numbers of Americans are seeking to live in locations that offer walkability, more transportation choices, and a mix of housing, retail, jobs, and neighborhood services.²

Investing in existing buildings, neighborhoods, and infrastructure that supports walkable communities connected to transit, can increase economic competitiveness for communities and regions. As we plan for the future of communities, the economics of development will need to consider the fact that many Americans currently cannot afford to live near where they work, and are spending excessive amounts of time and their limited incomes on transportation, primarily owning and driving cars. In addition, homes that are not energy or water efficient also translate to more money spent on high energy and water bills. A comprehensive planning approach that integrates the location of development with neighborhood and building design to create walkable, transit-served neighborhoods will mean that households with varying income levels will have access to more jobs in the region because they do not need a car, and businesses will have access to more workers.

Smart growth and green building are also critical if this country is committed to reducing its impact on global climate change. Combined, buildings and transportation currently make up about 71 percent of the country's greenhouse gas emissions.³ By investing in our communities and regions with homes that are closer to jobs, retail, civic centers, and neighborhood services, and by creating walkable neighborhoods, we will help to reduce the amount of driving and the greenhouse gas emissions that result. Making our buildings and infrastructure more energy efficient further

2 "2007 Growth and Transportation Survey" National Association of Realtors and Smart Growth America, 2007.

3 2009 EPA Greenhouse Gas Inventory, <http://www.epa.gov/climatechange/emissions/usinventoryreport.html>

contributes to these reductions. Several strategies to achieve energy savings and greenhouse gas emissions reductions are proposed in this publication.

A SUSTAINABLE APPROACH TO HOUSING AND DEVELOPMENT

Green building strategies create more energy efficient homes, which directly translates into significant savings in housing costs. However, a comprehensive planning and policy approach that identifies smart locations for development, design of mixed-use, walkable neighborhoods, and green building strategies will have the broadest impact on creating economically viable and sustainable development patterns in our country. According to the U.S. Department of Housing and Urban Development (HUD), "the average American household now spends 34 percent of their annual income on housing and 18 percent on transportation – the combined total of 52 percent of their budgets is wrapped up in these two largest expenses". While this country has experienced lower housing costs in suburban and rural locations, transportation costs are higher; "and the combination of housing and transportation averages 57 percent for working families in the metropolitan area". The study cited by HUD, also found that "households in a centrally located neighborhood, with access to mass transit, only spent 34 percent of their income on the same costs".⁴ With nearly 50 percent of people living in rural places within the bounds of metropolitan statistical areas, an integrated planning approach that spaces jurisdictional boundaries is needed.⁵

Successfully addressing the challenges and opportunities of growing smarter and building greener will require that communities collaborate with each other, as well as with regional, state, and federal agencies and organizations. The

4 The Affordability Index: A New Tool for Measuring the True Affordability of a Housing Choice, http://www.brookings.edu/reports/.../01_affordability_index.aspx

5 American Housing Survey for the United States: 2007, <http://www.census.gov/prod/2008pubs/h150-07.pdf>

infrastructure and economic stability of our communities are tied to what happens at the regional and state levels, and vice versa. For example, providing a regional public transit system is a critical element of the regional infrastructure system that requires coordination between local municipalities, regional authorities, and state and federal agencies. Making sure that these decisions yield benefits for households—in the form of greater choice, lower combined housing and transportation costs, and healthier communities—also strengthens local economies. To accomplish these multiple outcomes, agencies must collaborate to efficiently share information and resources and to appropriately target programs, policies, and resources.

In Connecticut, the Capitol Region Council of Governments (CRCOG) partnered with the U.S. Environmental Protection Agency (EPA) to address these challenges—many of which are shared by communities and regions around the country. CRCOG collaborated with EPA’s Smart Growth Program to identify tools and strategies for implementing a state affordable housing program, HOMEConnecticut,⁶ to grow smarter, ensure healthy and affordable housing, and support long-term economic competitiveness at the local and regional levels. The EPA and CRCOG

hired a team of experts, which included urban designers from Wallace Roberts & Todd and real estate planning and development advisors from Jonathan Rose Companies. The guidelines in this document are a result of that collaboration and will help guide development in the 29 urban, suburban, and rural municipalities that make up the Connecticut Capitol Region.

These guidelines were developed for communities in Connecticut and around the country striving to get development and future growth that result in stronger neighborhoods, protected open space and watersheds, and healthier and more affordable homes. The guidelines are also applied to site-level conceptual plans for development that are featured in a companion report, *Together We Can Grow Better: Smart Growth for a Sustainable Region*. That report analyzes four types of development that represent many of the challenges and opportunities faced by communities:

- Infill redevelopment in an existing residential neighborhood;
- Greyfield redevelopment of a dead shopping center in a retail corridor;
- Infill development in a functioning but underused shopping center; and
- Development in a rural context adjacent to a village center.

⁶ Authorized in 2007, the HOMEConnecticut program (Public Act 07-4) creates incentives for municipalities to establish land use regulations that allow higher density residential development with affordable housing requirements. The legislation authorized \$4 million for technical assistance and planning grants to towns, non-profit developers, housing assistance organizations, and regional planning agencies and for zoning and building permit incentive payments.



Highlands' Garden Village Mixed-Use and Mixed-Income Community - Denver, Colorado
Jonathan Rose Companies

OVERVIEW &

PURPOSE OF THE GUIDELINES FOR SUSTAINABLE DESIGN & DEVELOPMENT

These guidelines can help individuals, organizations, and agencies involved in the planning, design, and development of homes, neighborhoods, and communities. They are intended mainly for local government officials who are at the forefront of making decisions on land use, site and neighborhood design, housing, green building, development agreements, and public-private partnerships. Municipal planners, engineers, commissioners, council members, and others must grapple with making the right decisions on projects of all sizes as they strive to make their communities more livable and sustainable. These guidelines can provide a framework to help

these local decision-makers guide development, preserve open space, provide housing that is affordable and energy efficient, and create neighborhoods that are enjoyable and walkable.

These guidelines are also a resource for regional and state officials responsible for the allocation of state and federal resources. Funding for regional infrastructure—roads, transit, sewers, water, etc.—is usually allocated at the state level but has a significant impact on the way regions and communities grow. These guidelines demonstrate the connections between infrastructure investments and land use and development decisions and can help identify projects, features of projects, or broader areas that warrant more targeted state investment.

The guidelines are also for designers, developers, advocates, and builders of attractive buildings and neighborhoods, as well as those who are interested in developing homes and neighborhoods that respond to changing demographics and market demands. They offer important considerations on how to generate long-lasting value from land use and development decisions, including location, orientation and layout, composition and character, and green building materials and design.

Finally, these guidelines are intended to help residents who want to more effectively participate in the development of their neighborhoods and towns. This document provides a framework for them to engage with the local government and developers in siting, planning, designing, and developing high-quality projects that create great places.

GUIDELINES VERSUS CRITERIA

The guidelines were developed with the specific intent of providing strategies for decision-makers and practitioners involved in policy-making, planning, and development of our buildings, neighborhoods, and communities. They are not intended to be prescriptive or to offer uniform, rigid metrics or benchmarks, but rather to provide a comprehensive overview of how to approach equitable, sustainable neighborhood building.

These guidelines differ from, but complement, other certification programs that contain comprehensive criteria to achieve a certain standard of sustainability. Certification programs such as the Enterprise Green Communities, the U.S. Department of Energy and EPA's ENERGY STAR, and the U.S. Green Building Council's LEED certification systems (USGBC LEED) include specific requirements that the developer or homebuilder must meet in order to qualify for certification. These programs provide standards that agencies, individuals, and organizations can use to establish benchmarks and measure

outcomes. They have also helped to popularize green building and design not only in the real estate and development industries, but also with residents, property owners and business tenants. While some programs focus on green homes or developments (such as ENERGY STAR, USGBC LEED-Homes, and the National Association of Home Builders Green Building Program), other programs (such as Green Communities and USGBC LEED-Neighborhood Development) emphasize the creation of green neighborhoods. (See Resources – Certification Programs for access to further information).

The ways in which communities use these programs vary widely. Some local and state governments have begun to require that projects meet green certification thresholds as part of a policy strategy to reduce greenhouse gas emissions. Other jurisdictions have incorporated elements of these green programs into their land use ordinances and building codes. The guidelines in this document provide a framework for the basic considerations for mixed-income, mixed-use, sustainable development. This publication also includes a list of resources that illustrate how the design guidelines could be incorporated into municipal land use regulations.

HOW TO USE THE GUIDELINES

The guidelines offer strategies that are appropriate for each scale of development—region, neighborhood, and building. Regional strategies establish the foundation for determining highest and best land use patterns that achieve better environmental and economic benefits. Neighborhood strategies lay the groundwork for livability, equity, good design, and marketability. Building strategies ensure that structures include green, energy-efficient design that reduces costs and improves the quality and durability of the built environment.

Site Location: The site location criteria can be used as a checklist for prospective development sites. They provide focused guidance for the most critical decisions that planners and policy-makers can make to help reduce the impacts of development patterns on climate change, natural resources and ecological systems, reduce household costs and living expenses, and more efficiently use limited public resources to build regional infrastructure.

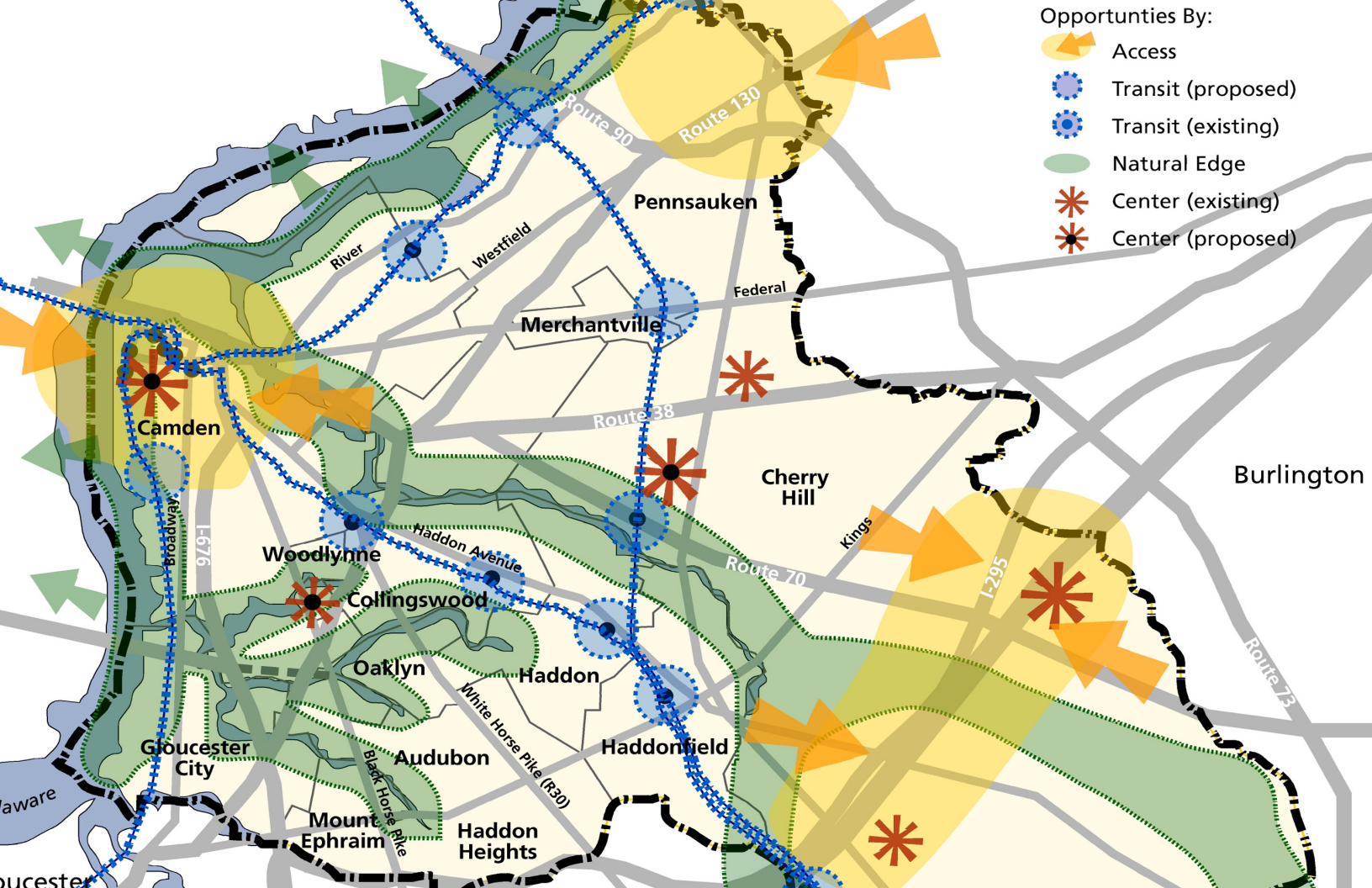
Neighborhood Plan: The neighborhood planning guidelines are more detailed, matching the scale of decisions that can be made at the block and neighborhood scale to create livable, equitable, and diverse communities. The guidelines include a list of strategies that could be considered for each project. They may not all apply, but they will add beauty and market value to projects, as well as enhance and preserve environmental features that create a sense of place.

Design and Construction: The design and construction guidelines are the most detailed. They focus on the building and site infrastructure-scale design decisions and strategies that can help reduce energy and water consumption, improve air quality, and create green infrastructure

systems. Implementation of the strategies will vary depending on site conditions, availability of materials, capacity of local designers and builders, and other reasons. However, all the strategies should be considered as a menu of opportunities to create high-performance buildings in well-designed neighborhoods in smart locations.

Community participation in these issues is critical and should be integrated from the start into all development and land use planning and policy activities at the regional and local levels. These guidelines will provide residents with tools to identify and advocate for smart growth projects in their region, town, or city so they can more effectively participate in the planning process.

The economic and quality of life advantages communities gain from using smart growth and green building strategies are increasingly evident. As the market demand for energy-efficient homes and more affordable, sustainable neighborhoods increases, the capacity of local builders, designers, and suppliers will grow to meet that demand. The result will be well-designed communities that contribute to a stronger local economy, healthier residents, and a more environmentally sound approach to growth.



Example Regional Transit Planning Analysis
Wallace Roberts & Todd, LLC

PROSPEROUS, SMART GROWTH LOCATIONS

Planning at the regional scale is the first critical step in creating livable communities. Locating development on underused, vacant, abandoned, or contaminated land in existing towns and cities reduces development pressure on rural or prime agricultural lands. These sites, typically infill sites or parcels adjacent to existing development, are often the cornerstones catalyzing further private investment in other underused properties nearby.

The benefits of this approach are many. For example, revitalizing neighborhoods and downtown districts strengthens the municipal tax base and prods communities to improve existing infrastructure. A regional analysis of development opportunities

highlights new ways to increase accessibility to employment centers, reduce the time and energy residents spend commuting, and improve air and water quality. Complementary land preservation and conservation strategies at the regional scale identify vulnerable lands and help protect them from development, which focuses local and regional market forces on existing neighborhoods. Combining revitalization strategies with land preservation policies work together to strengthen the vitality and economic viability of mixed-use town centers and neighborhoods.

Local governments, planners, developers, and others who are involved in selecting and approving

sites for future development make their decisions based on many considerations. The guidelines on the following pages can be the foundation upon which to base location decisions for residential, commercial, mixed-use, or other development to achieve long-term economic and sustainable development objectives. Key regional strategies for locating development and making land-use policy are:

- Natural Resources Preservation
- Environmentally Sensitive Areas Protection
- Existing Development and Infrastructure Connections
- Transportation and Transit Systems Access
- Community-Oriented Services Proximity



PROSPEROUS SMART GROWTH LOCATIONS

OBJECTIVES	GUIDELINES
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NATURAL RESOURCES PRESERVATION

Preserve and protect farmland, natural resources and habitat	<p>Locate the development on a site that does not have:</p> <ul style="list-style-type: none"> - Wetlands, water bodies or land within 100 feet of these areas - Prime agricultural soils - Unique or prime forest soils - Threatened or endangered species habitat - Aquifer recharge areas
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ENVIRONMENTALLY SENSITIVE AREAS PROTECTION

Protect environmentally sensitive areas	<p>Locate the development on land that does not have:</p> <ul style="list-style-type: none"> - Steep slopes greater than 15% - 100-year floodplains - Highly erodible soils
Enhance and protect the ecology of natural systems	Establish a mandatory no-development buffer at wetlands, floodplains, lakes, rivers, and estuaries

EXISTING DEVELOPMENT & INFRASTRUCTURE CONNECTIONS

Capitalize on existing infrastructure	Locate the development on a site that has access to existing roads, water, sewers and other infrastructure and is within or contiguous to existing development
Redevelop and restore value of contaminated or under-utilized land	To the greatest extent possible, locate the project on a greyfield (underused or abandoned site), brownfield (underused or abandoned site with real or perceived environmental contamination), or other adaptive reuse/infill site
Minimize reliance on private septic systems	Discourage development on sites where private septic systems will be required, both because of the costs of maintenance and typical system failures, and because of the large lot size required to service the systems

TRANSPORTATION AND TRANSIT SYSTEMS ACCESS

Encourage transit and other alternatives to single occupancy cars, reduce total congestion, vehicle miles traveled, household transportation costs, and greenhouse gas emissions	<p>Locate the development on a site that is served by or within walking distance of public transit or other alternative transportation, such as:</p> <ul style="list-style-type: none"> - Bus - Train (light rail, heavy rail, tram) - Ferry - Bike lanes and designated bike routes - Car share
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PROSPEROUS SMART GROWTH LOCATIONS

OBJECTIVES	GUIDELINES
COMMUNITY-ORIENTED SERVICES PROXIMITY	
Support community health by encouraging walking and biking and reducing driving	Locate the development on a site that is served by or is within 15 minutes walking distance of community-oriented services, such as: <ul style="list-style-type: none">- Grocery store- Convenience store- Civic, community and educational facilities- Cultural and entertainment facilities- Child care- Job centers- Health clinic (medical or dental)- Post office- Pharmacy- Laundry/ dry cleaner- Police or fire station- Place of worship- Public park and recreational facility



Highlands' Garden Village, Co-housing - Denver, Colorado
Jonathan Rose Companies

NEIGHBORHOOD PLAN - PLACEMAKING&

Desirable neighborhoods that offer a good quality of life and maintain lasting value for residents are not only located in convenient areas (see previous section) but also include well-designed buildings, streets, and infrastructure. Good neighborhoods are sustainable and maintain enduring value for their inhabitants. They provide good quality housing opportunities for people at all stages of life, from young to old, and with different income levels. Good neighborhoods are memorable and have clear, identifiable boundaries, connections to surrounding places, parks and civic spaces, a diversity of uses and housing types, and create a cohesive sense of place.

These neighborhood-scale guidelines contribute to creating walkable neighborhoods, pedestrian friendly streets, and thriving, diverse, healthy communities. There are exciting opportunities within these guidelines to be creative. Green design and development strategies, such as those listed in this document, can be used to create neighborhoods that are environmentally sensitive and vibrant, attractive places. For example, trees along streets are aesthetically pleasing, protect and shade pedestrians, cool the ambient air temperature, and slow and retain water as part of a stormwater management system.

The guidelines work together to achieve high-quality neighborhood design in these areas:

- Neighborhood Fabric and Composition
- Community Streets
- Nature and Open Space
- Equity, Diversity, and Affordability



NEIGHBORHOOD PLAN - PLACEMAKING

OBJECTIVES	GUIDELINES
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NEIGHBORHOOD FABRIC AND COMPOSITION

Encourage walking and reduce vehicle miles traveled by mixing uses and densities	Incorporate a diverse mix of uses within the development, or locate housing within a 15-minute walk of commercial and retail districts within diverse, community-oriented services
Maximize density levels to create optimal nodes of activity	<p>Exceed existing density patterns or requirements for a residential and mixed-use development. Suggested minimum densities for new residential construction:</p> <ul style="list-style-type: none"> - Six (6) units per acre for detached/semi-detached houses - Ten (10) units per acre for townhomes - Twenty (20) units per acre for apartments
Minimize the negative impact of car parking and encourage healthy modes of transportation	<p>Design car parking areas so that they are not the primary visual components of the neighborhood character by:</p> <ul style="list-style-type: none"> - Providing opportunities for shared parking between structures - Reducing parking ratio requirements in areas served by public transit - Providing preferred or discounted parking for carpools, vanpools and low-emitting, fuel-efficient vehicles - Providing designated street parking for car-sharing service - Limiting and screening parking and loading areas to the side and/or rear of buildings - Providing bike racks and walking amenities (water fountains, benches, etc) near entrances at points of destination
Maximize opportunities for passive solar heating and cooling	For new street blocks or buildings, take advantage of natural solar heating and cooling by orienting the longer side of the street grid and/or buildings along the east-west axis

COMMUNITY STREETS

Calm traffic and create desirable, pedestrian friendly, safe streets	<p>Design safe, pedestrian-friendly streets by including elements, such as:</p> <ul style="list-style-type: none"> - Wide sidewalks on both sides of the street (4 feet minimum width on residential blocks, 8 feet minimum width on non-residential or mixed-use blocks) - Street furniture (e.g., benches, street lamps) - Trees and other landscaping - Street curb bulb-outs - Adequate space for transit stops/shelters - <i>Woonerfs</i> (streets that give legal priority to pedestrians and cyclists) - Narrower streets to reduce speeds and impervious surfaces
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NEIGHBORHOOD PLAN - PLACEMAKING

OBJECTIVES	GUIDELINES
COMMUNITY STREETS	
Create bike-friendly streets	Create a bike-friendly environment with continuous, and if possible, separated bike lanes that connect to a larger bike network, bike parking, and easily accessible bike racks
Maximize neighborhood connectivity	Connect new streets, sidewalks and bike lanes to the existing street grid and surrounding neighborhoods, districts, and transportation network
Enliven street frontages	Support a pedestrian-friendly street pattern by: <ul style="list-style-type: none"> - Orienting buildings toward the street and sidewalk with front facades and entrances facing a public space but not a parking area - Locating front building facades near the front property line - Zoning for pedestrian-oriented uses at the ground level (e.g., retail, community services such as libraries and community centers, etc.,)
Beautify streets with trees and green infrastructure practices	Encourage the use of green infrastructure practices as standard practice for roads and public rights-of-way. For example, provide street trees on both sides of streets between the street and sidewalk. Use appropriate (drought tolerant) tree species and ensure the trees have the correct soils and root and growth space to thrive
NATURE AND OPEN SPACE	
Create or enhance green open space networks	Design green open space so that it is connected to existing green open space networks within or adjacent to site boundaries
Conserve natural resources	Preserve and restore natural resources through compact conservation design
Maximize access to parks and recreational areas	Include and/or provide direct access to parks and recreational areas
Maximize access to local food sources	Provide access to local food and opportunities for food production, by: <ul style="list-style-type: none"> - Zoning or CC&Rs (covenants, conditions and restrictions) that allow for growing produce on residential property - Dedicating open space for a community garden in the development - Locating the project near a farmers' market. - Planting edible landscapes as part of landscaping plans

NEIGHBORHOOD PLAN - PLACEMAKING

OBJECTIVES	GUIDELINES
EQUITY, DIVERSITY AND AFFORDABILITY	
Encourage housing type, tenure, and income diversity	Exceed the affordability requirements of applicable local and/or state programs, and: <ul style="list-style-type: none">- Include a mix of housing types, tenures, income targeting and density patterns- Establish zoning regulations that allow accessory units
Create environments usable by all people, to the greatest extent possible, without the need for adaptation or specialization	To the greatest extent possible, incorporate the following universal design strategies: <ul style="list-style-type: none">- One zero-step entrance, at the front, back or side of the house- At least 32 inches of clear passage space for all main floor doors, including bathrooms- At least a half bath, preferably a full bath, on the main floor- Incorporate universal design strategies in the design of the residential units (Universal Design Resources^{1,2}) <hr/> <p>1 Center for Inclusive Design and Environmental Access, http://www.ap.buffalo.edu/idea/Home/index.asp</p> <p>2 Center for Neighborhood Technology Housing and Transportation Affordability Index, http://www.cnt.org/tcd/ht</p>



Othello Station at New Holly - Seattle, WA
Wallace Roberts & Todd, LLC with WRT/Solomon ETC

GREEN BUILDING & INFRASTRUCTURE

Green building techniques make new and existing buildings healthier, more durable, and more energy and water efficient. Buildings are healthier when they are designed to improve the indoor air quality, thereby reducing incidence of asthma and other respiratory diseases. Also, more durable buildings consider the lifecycle of materials, selecting efficient, recycled, or recyclable construction and finish materials and using construction methods that extend their functional life, reduce cost, and reduce waste. These materials, appliances, and techniques not only conserve resources, they also reduce household energy and water costs.

These techniques are within the reach of both experienced green builders and those that are just beginning to incorporate sustainability, energy efficiency, and compact design into their construction practice and business model. In the guidelines below, experienced builders may recognize similarities with other green building certification programs, such as the Enterprise Green Communities Program, the U.S. Green Building Council LEED programs, and EPA's ENERGY STAR ratings for homes, appliances, and fixtures.

In some municipalities, developers and builders may have varying levels of capacity or knowledge in green construction and design, or may be

located in areas with limited access to green materials. In these cases, these Green Building and Infrastructure Guidelines can serve as a list of sustainable construction methods and materials to consider. Policy makers might use this list as a good starting point in working with local builders who may have little to no experience in green building to both build capacity and establish low cost, high impact, accessible green building methods. In areas where builders have experience and capacity to design and construct green buildings, policy makers might set minimum standards or program certifications and offer incentives to project developers that exceed them.

Using cost-effective methods to create high-performance building envelopes advance local green building capacity and help households to save money on energy costs. The following strategies may serve as a menu of options that can be incorporated in various combinations into the design and construction strategy for building green to independently and cumulatively increase building and neighborhood efficiency and sustainability.

The Guidelines focus on energy and water efficiencies, but also include simple green building methods. The list is not a detailed specification, nor does it reflect EPA national green building guidance that is under development. EPA's ENERGY STAR Qualified Homes Program contains more complete information, checklists, best practices and technical resources for the design and construction of energy-efficient homes. Please refer to the Resources-Certification Program section of this document to access these resources. The Green Building and Infrastructure Guidelines are organized as follows:

- High-Performance Buildings
- Green Building Materials
- Sustainable and Indigenous Landscaping
- Green Infrastructure
- Green Construction Best Practices
- Green Operations and Maintenance



GREEN BUILDING & INFRASTRUCTURE

OBJECTIVES	GUIDELINES
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HIGH-PERFORMANCE BUILDINGS

<p>Create high-performance residential projects to reduce household water consumption, water utility costs, and protect natural water supply</p>	<p>Use durable, water-efficient fixtures, such as EPA WaterSense labeled products¹</p> <ul style="list-style-type: none"> - Showerheads with a flow of less than 2 gallons per minute (gpm) - Sink faucets with a flow of less than 2 gpm - Toilets that use less than 1.6 gallons per flush (gpf) - Urinals that are waterless or use less than 1 gpf
<p>Create high-performance residential projects to reduce household energy consumption, energy utility costs, and greenhouse gas emissions</p>	<ul style="list-style-type: none"> - Use Technical Resources: Guidelines for ENERGY STAR Qualified New Homes¹ - Identify ENERGY STAR partners to design and build the homes¹ - Identify Home Energy Rater to verify ENERGY STAR checklists¹
<p>Design and construct sound building envelope</p>	<ul style="list-style-type: none"> - Complete Thermal Bypass Inspection Checklist - Complete Quality Framing Checklist - Install ENERGY STAR qualified or better windows and doors
<p>Design and install high-performance heating/ventilation/air conditioning system</p>	<ul style="list-style-type: none"> - Complete HVAC Quality Installation Contractor Checklist - Complete HVAC Quality Installation Rater Checklist - Specify and install ENERGY STAR HVAC equipment - Install ENERGY STAR qualified thermostat (except for zones with radiant heat) - Install ENERGY STAR ceiling fans
<p>Design water efficient plumbing system</p>	<ul style="list-style-type: none"> - Use demand pumping, manifold, or core layout hot water distribution system
<p>Specify and install energy efficient appliances and lighting</p>	<ul style="list-style-type: none"> - Install ENERGY STAR refrigerators, dishwashers, and clothes washers/dryers - Use ENERGY STAR Advanced Lighting Package, and/or install ENERGY STAR bulbs in 80% of sockets¹
<p>Specify construction methods that ensure healthy indoor air quality</p>	<ul style="list-style-type: none"> - Use EPA's Indoor airPLUS¹ - Complete Indoor Air Quality Checklist - Complete Water-Managed Construction Checklist
<p>Create high-performance commercial/ mixed-use projects to reduce household water consumption, water utility costs, and protect natural water supply</p>	<p>Design buildings using the ASHRAE Advanced Energy Design Guides¹</p>

¹ See Resources section under "Certification Programs"

GREEN BUILDING & INFRASTRUCTURE

OBJECTIVES	GUIDELINES
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GREEN BUILDING MATERIALS

<p>Use materials and products that are environmentally preferable and safer for occupant health</p>	<p>To the greatest extent possible, use materials that have minimized environmental and health impacts over their lifecycle:</p> <ul style="list-style-type: none"> - Use recycled or recyclable building and finish materials - Use locally available, indigenous materials and/or products that have been certified under a trusted green program - Use healthier and durable materials. Some flooring options include: <ul style="list-style-type: none"> - Living Areas and Bedrooms: Suggested materials include wood harvested from a certified sustainably managed forest, salvaged or reclaimed woods, cork (a fast growing, renewable material), and carpets certified to the NSF-140 standard.¹ - Entryway, Kitchen, Laundry Room, and other Wet Areas: avoid moisture absorbing flooring. Suggested materials include ceramic tile, linoleum, rubber, sealed concrete - Basement: avoid moisture absorbing flooring. Suggested material includes exposed slab with low-VOC stain - Bedrooms: Suggested materials include those suggested for Living Areas, natural fiber area rugs or Green Label carpet - To facilitate reuse at the end of a product or building's life, consider using nails and screws instead of adhesives when practicable. - More environmentally preferable materials and methods can be found in the model green construction specifications at: www.wbdg.org/design/greenspec.php
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SUSTAINABLE & INDIGENOUS LANDSCAPING

<p>Reduce maintenance requirements and costs, water consumption, and negative environmental impacts</p>	<ul style="list-style-type: none"> - Limit the use of turf grass and install native, drought-tolerant ground cover or other landscaping to replace lawns. Reduce areas maintained by greenhouse gas-emitting maintenance equipment - Design landscapes to be low maintenance and require little or no fertilizers, pesticides, or watering except for when they are first established - Select and install plants that are appropriate to the site's soils and micro-climate and require little or minimal irrigation, fertilization, and chemical management (pesticides). If irrigation is required, design system to EPA WaterSense standards.¹
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¹ See Resources section under "Certification Programs"

GREEN BUILDING & INFRASTRUCTURE

OBJECTIVES	GUIDELINES
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GREEN INFRASTRUCTURE

<p>Incorporate stormwater management practices as part of neighborhood design features and amenities</p>	<ul style="list-style-type: none"> - Use green infrastructure and low-impact development techniques to manage runoff on-site, such as bioswales, pervious pavement, green roofs, tree plantings, bio-filtration, cisterns, and stream daylighting - To the extent practicable, minimize impervious surfaces by using gravel, permeable pavers, open grid pavers, and similar pervious surfaces for driveways, parking lots, and other areas that would usually be paved - Encourage green infrastructure practices in landscaping features, such as community gardens, rain gardens and large canopy trees - Locate deciduous trees and other plant materials to provide shading in summer and solar access in winter, as well as to provide stormwater management for any impervious areas on site
<p>Mitigate heat island impacts</p>	<ul style="list-style-type: none"> - Use ENERGY STAR qualified or other highly reflective roof products - Use paving materials with high solar reflectance - Select and install street trees, and/or preserve existing trees, to shade sidewalks and hard surface areas

GREEN CONSTRUCTION BEST PRACTICES

<p>Control soil erosion and sedimentation</p>	<ul style="list-style-type: none"> - Implement local or state erosion and sedimentation controls during construction using EPA's Stormwater Best Management Practices¹
<p>Redevelop brownfield sites using ecologically innovative and responsible environmental remediation and abatement practices</p>	<ul style="list-style-type: none"> - Conduct an environmental assessment that meets the requirements of the local or state environmental protection agency. If applicable, employ EPA's Green Remediation Best Management Practices¹ - Use EPA Steps to Lead-Safe Renovation, Repair and Painting¹
<p>Reduce excess construction waste and make recycling easy</p>	<ul style="list-style-type: none"> - Whenever possible, use building technologies, materials and finishes that minimize finishing on-site - Place recycling bins on construction site for recyclable/reusable waste materials that can be diverted from landfills

¹ See Resources section under "Certification Programs"

GREEN BUILDING & INFRASTRUCTURE

OBJECTIVES

GUIDELINES

GREEN ENERGY PRODUCTION & SUPPLY

Encourage on-site production and use of renewable energy sources

- Install non-polluting, renewable energy generation technologies such as solar, wind, or geothermal
- Alternatively, consider designing and wiring the development to accommodate renewable energy sources, such as photovoltaic cells, in the future

Enhance on-site energy production with off-site renewable energy sources

- Purchase household energy from renewable resources that may be available from the local utility/energy provider

GREEN OPERATIONS & MAINTENANCE

Ensure that ongoing operations and maintenance practices promote green and healthy living by developing operations and orientation manuals

- Building maintenance manual¹
- Homeowner / Renter green guide¹
- Homeowner / Renter green orientation¹

¹ See Resources section under "Green Development, Neighborhood, and Building Resources"



Site Planning Detail -South Windsor, CT
Wallace Roberts & Todd, LLC

RESOURCES

This section provides a reference list of certification programs and resources for readers who are interested in obtaining additional information on planning or certifying neighborhoods and buildings that are healthy, walkable, diverse in uses and incomes, and environmentally responsible. In addition to certification programs, there is also a list of leading entities in the fields of smart growth, neighborhood design, and green building.

SMART GROWTH PLANNING, DEVELOPMENT AND DESIGN RESOURCES

Federal Agencies

Federal agencies provide a wide range of resources as well as grants, loans, and advisory services. Establishing long-term relationships with government agencies is important, particularly

in projects that promote smart growth and energy-efficient development and design. Regular research on key websites helps provide access to new resources, funding notifications, and policy initiatives at the federal level. For example, as an extension of its work supporting community development and affordable housing, HUD joined with EPA and DOT in the Partnership for Sustainable Communities to facilitate integrated planning to help American families gain better access to affordable housing, more transportation options, and lower transportation costs.

Some key federal agencies are:

U.S. Environmental Protection Agency (EPA)
www.epa.gov

Office of Administrator; Office of Policy Economics and Innovation, Smart Growth Program
www.epa.gov/smartgrowth

Office of Air and Radiation
www.epa.gov/oar

Office of Environmental Justice
www.epa.gov/compliance/environmentaljustice/index.html

Office of Solid Waste and Emergency Response
www.epa.gov/swerrims

Office of Water
www.epa.gov/OW

U.S. Department of Energy (DOE)
www.energy.gov

U.S. Department of Energy Center of Excellence for Sustainable Development
www.smartcommunities.ncat.org

U.S. Department of Housing and Urban Development (HUD)
www.hud.gov

U.S. Department of Housing and Urban Development (HUD) – Community Planning and Development Green Homes and Communities
www.hud.gov/offices/cpd/about/conplan/greenhomes.cfm

U.S. Department of Transportation (DOT)
www.dot.gov

U.S. Department of Transportation (DOT) Federal Transit Administration Transit and Environmental Sustainability
www.fta.dot.gov/planning/planning_environment_8510.html

U.S. Department of Transportation (DOT) – Federal Transit Administration Transit-Oriented Development
www.fta.dot.gov/planning/planning_environment_6932.html

U.S. Department of Agriculture (USDA)
www.usda.gov

U.S. Department of Agriculture – Sustainable Development
<http://www.usda.gov/oce/sustainable/funding.htm>

Centers for Disease Control and Prevention (CDC)
www.cdc.gov

Centers for Disease Control and Prevention (CDC) – Healthy Communities Program
www.cdc.gov/healthycommunitiesprogram

Regional Organizations

Metropolitan Planning Organizations (MPO) and Regional Council of Governments that plan, research, and support smart growth and green development patterns are often sources of information. Therefore, it is important to learn about your local regional planning organizations. They are frequently members of the National Association of Regional Councils and/or the American Metropolitan Planning Organizations. For more information on these groups or to find your regional organization, visit their websites at:

American Metropolitan Planning Organization
www.ampo.org

National Association of Regional Councils
www.narc.org

Professional Associations

Professional associations are excellent resources for identifying experienced project teams and researching best practices in green design, as well as potential planning and design grant opportunities. Some key professional associations are:

American Planning Association
www.planning.org

American Institute of Architects
www.aia.org

Building Owners and Managers Association
International
www.boma.org

National Association of Homebuilders
www.nahbgreen.org

Urban Land Institute
www.uli.org

Associations for Public Agencies and Officials

These associations provide resources for public officials and staff to help them create more opportunities for smart growth development, community revitalization, energy-efficient infrastructure, transportation options, and community development to address climate change.

International City/ County Management
Association (ICMA)
www.icma.org

ICLEI – Local Governments for Sustainability
www.iclei.org

Local Government Commission
www.lgc.org

National Association of Counties (NACo)
www.naco.org

National Governors Association – Environment,
Energy & Natural Resources Best Practices
www.nga.org/portal/site/nga

U.S. Conference of Mayors – Mayors Climate
Protection Center
www.usmayors.org/climateprotection

Certification Programs

Green certification and rating programs provide standards for measuring and evaluating a type of building product, such as residential or commercial buildings, or large-scale, multi-phased projects with several buildings. These programs include certain prerequisites and criteria to be addressed as part of the project assessment process. Most programs are based on a point system that evaluates a project's location, context, design, construction, and operation to determine the project's eligibility for certification. Some key certification programs include:

American Society of Heating, Refrigerating
and Air-Conditioning Engineers (ASHRAE) –
Advanced Energy Design Guides
www.ashrae.org/technology/page/938

ENERGY STAR Program – A Joint Program of
the EPA and DOE
[www.energystar.gov/index.cfm?c=new_homes.
hm_index](http://www.energystar.gov/index.cfm?c=new_homes.hm_index)

ENERGY STAR Qualified Homes (Checklists,
Technical Resources, Specifications, etc)
[www.energystar.gov/index.cfm?c=bldrs_lenders_
raters.homes_guidelns](http://www.energystar.gov/index.cfm?c=bldrs_lenders_raters.homes_guidelns)

ENERGY STAR Partners (Find or become a
Partner)
www.energystar.gov/index.cfm?c=partners.pt_index

[www.energystar.gov/index.cfm?c=fixtures.alp_
consumers](http://www.energystar.gov/index.cfm?c=fixtures.alp_consumers)

U.S. Environmental Protection Agency (EPA)
www.epa.gov

EPA Indoor airPLUS
www.epa.gov/indoorairplus/

EPA National Menu of Best Practices
cfpub.epa.gov/npdes/stormwater/menuofbmps

EPA Steps to Lead-Safe Renovation, Repair and Painting
www.epa.gov/lead/pubs/renovation.htm

EPA WaterSense
www.epa.gov/WaterSense

EPA Smart Growth Code Auditing
www.epa.gov/smartgrowth/scorecards/index.htm

Enterprise Green Communities
www.enterprisegreencommunitiesonline.org

Enterprise Green Communities Templates
www.greencommunitiesonline.org/tools/resources/index.asp#t1

NSF International - Sustainable Building Product Standards
<http://www.nsf.org/business/sustainability>

National Association of Home Builders – National Green Building Program
www.nahbgreen.org

U.S. Green Building Council – Leadership in Energy and Environmental Design (LEED)
www.usgbc.org

Green Development, Neighborhood, and Building Resources

These resources provide tools to create development plans and policies that build well-designed, green communities. The following list includes key organizations involved in smart growth, green building and sustainable

development. Also noted in this list are special program areas that these organizations have developed.

Center for Inclusive Design and Environmental Access
Program Area: Visitability Booklet (pdf)
www.ap.buffalo.edu/idea/Home/index.asp

Center for Neighborhood Technology
www.cnt.org
Program Area: Housing and Transportation Affordability Index
www.cnt.org/tcd/ht

Center for Universal Design
www.design.ncsu.edu/cud
Program Area: Universal Design in Community Planning
www.design.ncsu.edu/cud/about_ud/udincommunity.html

Congress for the New Urbanism
www.cnu.org
Program Area: Achieving Sustainability from Building to Region
www.cnu.org/Intro_to_new_urbanism

Global Green USA
www.globalgreen.org
Program Area: Green Building Resource
www.globalgreen.org/greenurbanism

Leadership for Healthy Communities
www.leadershipforhealthycommunities.org
Program Area: Active Living
www.leadershipforhealthycommunities.org/component?option=com_advancedtags/view/tag/id,2/Itemid,74

Lincoln Land Institute of Land Policy
www.lincolninst.edu
Program Area: Visualizing Density
www.lincolninst.edu/subcenters/visualizing-density/

National Complete Streets Coalition
www.completestreets.org
Program Area: Complete Street Fundamentals
www.completestreets.org/complete-streets-fundamentals

Natural Resources Defense Council
www.nrdc.org
Program Area: Smart Growth
www.nrdc.org/smartgrowth/default.asp

Playbook for Green Buildings and Neighborhoods – Strategic Local Climate Solutions
www.greenplaybook.org

Project for Public Spaces
www.pps.org

Reconnecting America – Center for Transit-Oriented Development
www.reconnectingamerica.org

Sierra Club USA
www.sierraclub.org
Program Area: Cool Cities
www.coolcities.us
Program Area: Clean Energy Solutions
www.sierraclub.org/energy

Smart Growth America
www.smartgrowthamerica.org

Smart Growth Leadership Institute – A Project of Smart Growth America
www.sgli.org
Smart Growth Network
www.smartgrowth.org/sgn/default.asp

Smart Growth Online – A Service of the Smart Growth Network
www.smartgrowth.org

Sustainable Communities Network – Linking Cities to Resources and to One Another
www.sustainable.org
Sustainable Sites Initiative – Sustainable Landscapes
www.sustainableplaces.org

Urban Advantage – Envisioning Urbanism
www.urban-advantage.com

The Urban Land Institute
www.uli.org
Program Area: Smart Growth Alliance Information Network
www.uli.org/CommunityBuilding/Smart%20Growth%20Alliances.aspx
Program Area: Regional Leadership and Cooperation – Smart Growth
www.uli.org/CommunityBuilding/RegionalLeadershipandCooperation/Smart%20Growth.aspx

Walk Score – Find a Walkable Place to Live
www.walkscore.org

From: [Ruth S. Taylor](#)
To: planningdepartment@jeffersoncountywv.org
Subject: Public Safety recommendations
Date: Tuesday, July 22, 2014 11:35:46 AM

I am writing to strongly encourage planning Commission to seriously consider the proposals regarding public safety to include police meeting force support, rescue and fire funding for training and intra county coordination.

Thank you for addressing these issues in your upcoming studies and deliberations.

Ruth S. TAYLOR
CHARLES TOWN RE S IDENT

Envision Jefferson 2035
Planning Commission Public Hearing
Tuesday July 24, 2014
Comments

To: Jefferson County Planning Commission
Re: Envision Jefferson 2035 Public Comments

I attended the Envision Jefferson 2035 workshops over the last year to provide input for the updated comprehensive plan. The meetings were attended by the citizens of Jefferson County concerned with the future of the county and preserving the quality of life that makes this area unique and a place that people want to live.

The key attributes of this county that I believe make it unique, livable and need to be preserved are:

- Natural Beauty
- Historic land and structures
- Agriculture
- Open Space
- Rural, Village and Urban Areas

I think that the direction of the citizen's input on the comprehensive plan of planned development to meet future growth in urban growth areas where current infrastructure exists or future infrastructure can be increased or added in an economically and viable means is a commonsense direction.

Growth in the currently defined Urban growth areas or existing Villages is good planning which supports preservation of the key attributes of this area that define Jefferson County. Planned growth in defined areas will help increase values of all land in the County.

I think that some of the areas defined for certain levels of development need to be further studied to determine if indeed that level of development is viable in that area such as the development/ industrial identification for the 3M Plant in Middleway and the Quarry. For instance the Quarry might want to be redefined as a Mineral Resource Area.

I think the County needs to retain the impact fees. Without the fees we cannot pay for the services required to support increase in population which is becoming more sophisticated and expecting and requiring more upgraded services. I have no children but have paid taxes to support school systems in any state I have lived. I believe that to be an investment in the future of this Country. I do not believe in selectively choosing who/what developments do or do not have to pay impact fees. You cannot fund upgrades with no means of funding.

I trust the County Planning Commission will remember that the citizens of this county gave their time and expertise to develop the 2035 Comprehensive Plan and that they have provided commonsense solutions to future growth demands on this county.

I think that future growth demands on the county is recognized in this Comprehensive Plan. I see this as a good concept document on which to craft a more detailed plan for the future of Jefferson County with the goals of preserving what makes this county unique.

Thank you,

Robin Huyett Thomas
534 S. Samuel Street
Charles Town, WV 25414

From: [Karan Townsend](#)
To: [Jennifer Brockman](#)
Subject: Comment on Envision Jefferson 2035 Comprehensive Plan Draft
Date: Monday, July 28, 2014 5:01:22 PM

TO: Jefferson County Planning Commission and Planning Department

Thank you for the excellent and exhaustive effort that you have invested in developing the draft of the Envision Jefferson 2035 Comprehensive Plan.

Jennifer Brockman, Barbara Humes, and Suzanne Malesic have kindly and care-fully answered most of my questions about the draft of the Comprehensive Plan, which i will refer to as the "Plan." I appreciate the opportunity to address my comments and concerns directly to those of you in the Planning Department and to the Planning Commission since the decisions you and the members of the County Commission make have a direct influence on both my professional and personal life.

Please note that of all the places I've lived --- which include Houston, Texas; Salzburg, Austria; Kuwait; the UAE; and Washington, DC (Capitol Hill) --- my favorite place is Harpers Ferry. My goal is to work to preserve, protect, and promote Harpers Ferry as an authentic community that is geographically and historically unique in ways that appeal both to visitors seeking a peaceful, recreational, educational getaway from the urban / suburban villages in which they live and to local residents seeking quality of life.

The Plan appears to address development and other issues in ways that contribute to achievement of my goal --- but my hope is that the Plan will specifically recommend limiting economic development from Old Country Club Road to the Shenandoah Bridge (fewer than 5 miles) to "tourist-friendly / quality of life" development.

"Tourist-Friendly" development includes agricultural / recreational businesses such as breweries, distilleries, farmers' markets, flea markets, museums, arts and crafts centers, music and drama centers, and other agricultural, recreational, and/or educational businesses rather than office parks, data centers, government facilities, industrial complexes, etc., which could be located elsewhere in the County. This area already includes enough service stations for residents and visitors, housing developments, etc.

I agree with the overall "Vision" stated in the Plan (although i'd like to see "education" mentioned), and i hope to see a diversified economic base developed in the County. However, I firmly believe that the area from the Shenandoah River to Old Country Club Road ought to be restricted to tourist-friendly development and that non-tourist-friendly economic development should take place in other areas of the County. The Route 340 Corridor already has a huge government facility and other businesses that are not particularly appealing to tourists and that residents find elsewhere in the County.

In a general sense, the Plan addresses my concerns and provides:

(1) Support of the overall concept of careful land use and growth management that encompasses urban and rural boundaries rather than "suburban sprawl"

(2) Emphasis on development of the agricultural and rural economy in ways that bring in tourism dollars and enhance quality of life for residents (See Shepherd Ogden's article "When it Comes to all Kinds of Land Use, We Reap What we Sow" in the 16 July *Spirit* as you consider "highest and best use" of the land in Jefferson County)

(3) Emphasis on developing the unique historical, cultural, and natural resources of the County in general and Harpers Ferry in particular (particularly an emphasis on recreation businesses)

(4) Clarity in governance processes and procedures that acknowledge the "voice of the people" in terms of zoning and other such matters

(5) Citizen control over the nature of development to ensure that undeveloped areas in the US Route 340 East area are developed in ways that preserve the unique features of this area rather than industrial and commercial development that is not tourist-friendly. For example, the two quarries are subject to development. I understand that one quarry is zoned industrial and one is zoned rural. These are perfect areas for tourist-friendly commercial development, but non-tourist-friendly development is likely to be approved if Harpers Ferry residents don't "speak up."

However, the statements on page 2 of the Plan are vague and would allow non-tourist-friendly development:

- a. [The U.S. 340 East PGA](#)
(selected nodes between Charles Town/Ranson and Harpers Ferry/Bolivar)

Much of this area is already zoned for a wide range of commercial and residential uses. In addition, water and sewer facilities exist along several segments of this corridor, particularly within the nodes where development is proposed to take place (Country Club/Marlow Roads, Shepherdstown Pike (WV 230), Bakerton/Millville Roads, and Campground Road off of Shoreline Drive across U.S. 340 from Washington Street in Bolivar). The easternmost segment of the PGA could eventually be included as part of a Bolivar UGB.

Quarry Redevelopment Areas (QRA) within the U.S. 340 Corridor

There are two QRA's along U.S. 340 and they consist of Old Standard Quarry (Millville Road) and Shenandoah Quarry (U.S. 340 and Blair Road). These quarries have unique site features that provide for different redevelopment opportunities. Both sites have a large reservoir of water from quarries that are no longer actively used (please note that while there is an active quarry on Blair Road, the Shenandoah Quarry is inactive). Both quarries could be used for mixed used developments, office and commercial uses, technology companies that have a need for water, and recreational activities. Since each of these proposed uses has a different future land use classification, it was determined to show the existing areas as "Quarry Redevelopment Areas". Redevelopment should consider site development that incorporates the design of the structures with the topography and other natural features.

Keep in mind that I am a Tea Party conservative and a former Texan, and as such I am an advocate of free market capitalism, property rights, and a strong local government (town, county, and state) that reflects the will of the people. I deliberately chose to move to a county that has strict zoning laws. Non-tourist-friendly development along the tiny section of East Route 340 seems to violate the spirit and intent of zoning and the voice of the people as expressed to the County over the past several years. My hope is that the Plan reflects the will of the people in terms of reserving East Route 340 for economic development that is "tourist-friendly" and that enhances the quality of life for residents.

Respectfully submitted,
Karan Townsend

Dr. Karan Townsend

The Town's Inn
179 High Street

PO Box 1412
Harpers Ferry, WV 25425

114 Third Street NE
Washington, DC 20002

Lodging: 304.932.0677
Restaurant: 304.535.1860
Mobile: 304.702.1872

email: karantownsend@gmail.com
www.TheTownslnn.com

=====

From: [Cathy](#)
To: planningdepartment@jeffersoncountywv.org
Subject: Comments and suggestions for Envision 2035
Date: Sunday, July 27, 2014 7:45:13 PM

Dear Planning Commission:

First I want to congratulate and thank the Steering Committee and Planning Staff for their efforts which I know have been extensive to produce the 2014 Comp Plan, Envision 2035. It is in fact comprehensive and full of solid recommendations for the future growth of Jefferson County. I think the large number of approved lots, 12,500, throughout the county could mean that the cow is already out of the barn when it comes to preventing the expensive type of sprawl that this plan seeks to prevent. Clustered developments should be encouraged and while these lots are already approved, it would behoove the county to think of ways to encourage existing approved subdivisions to cluster development. The Comp Plan calls for adherence the zoning map, the first in a Jeffco Comp Plan and its great!

I especially like the 2-tiered impact fees and would also like to see impact fees for residents eliminated altogether. The unintended consequence of impact fees for locals can make it financially questionable to add needed housing for seniors or children which is encouraged in the Plan.

At the Public hearing I asked for some changes in the Comp Plan, they are:

1. Specifically limit overlay zones to architectural and other design issues, like an historic district. The Comp Plan should specifically state that overlay zones cannot be used for zoning and land use changes.
2. In existing conditions, please acknowledge the riverfront communities which are rural but not on large lots. I am guessing there are at least 2000 lots in existing river communities. The river communities are a unique part of Jefferson County life.
3. More definitions are needed for "brownfield" and "greyfield".
4. There should probably be additions to the appendix to include the Jefferson County Green Infrastructure Assessment and the Access Management Ordinance.
5. The Pack Horse Ford Study Area as defined in the last comp plan needs to be addressed as an area requiring special land use criteria. This area has been the most hotly contested area of Jefferson County in the last 4 years with competing interests. While this comp plan is conceptual in nature, this plan was never completed and needs to be done.
6. The Land use ordinances need to recognize the potential impact of outfitter uses. The land area needed for the outfitters is small, requires almost no building footprint and follows ordinances that are intended for a typical business model. The outfitter business model in Jefferson County requires heavy use of the roadways to transport their clientele, and a stamp sized piece of land to drop people off at access points. With over 80,000 people put into the rivers in 2012, the sheer number of people on the roads and rivers is huge. As I understand it, the outfitters operate under grandfathered uses. As drivers of some of the Jeffco tourism, recognition of where they should be permitted to operate and are operating would be helpful for residents and the outfitters alike. This is a unique situation in many respects to Jefferson County and should be reflected in our land use ordinances and the Comp Plan.

I thank you for any consideration to adopt these suggestions and again Thank all involved in getting this plan completed.

Cathy Vance

Received

JUL 14 2014

Jefferson County Commission

2164 Cattail Run Road

Charles Town, WV 25414

July 12, 2014

Jefferson County Commission

P.O. Box 250

124 E. Washington Street

Charles Town, WV 25414

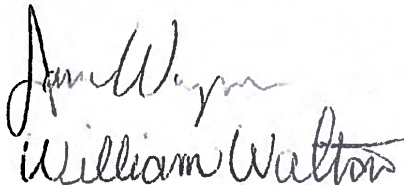
Dear Commissioners,

Please address the following concern regarding the Envision Jefferson 2035 Land Use Plan. We are residents of Charles Town, live adjacent to the quarry and are members of Aggregate Industries Community Board.

The map on page 195 of the Land Use Plan shows the Millville Quarry area as an Industrial Zone. My understanding is that an Industrial Zone allows storage of toxic materials, rendering of dead animals and many other uses which are not appropriate to this area, especially since much of it borders the Shenandoah River. Due to the geology of the area water moves between the quarry lakes and underground channels and the river. I spoke this week with Richard Freedman, Regional Environmental Land Services Manager for Aggregate Industries, Mid-Atlantic Region, current owners and operators of the quarry. He agreed that Industrial zoning was not appropriate for this site.

We request that the plan recognize and designate the quarry for mineral recovery, not industrial use. We also request that language dealing with the time, however distant, when quarry operations cease and there is an interest in redevelopment be added to the master plan. That language needs to require that at such time an amendment to the master plan be undertaken to explore what uses and zones are appropriate.

Thank you.



Jane Wagner and William Walton

304 724-8130

This information is
Tab #9 in your binder.



Jefferson County, West Virginia

Departments of Planning and Zoning

116 East Washington Street, 2nd Floor

Charles Town, WV 25414

Email: planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

Email: zoning@jeffersoncountywv.org

Fax: (304) 728-8126

Director's Report Planning Commission Meeting August 12, 2014

- 1) Transit Development Plan Scope of Work (document included under Agenda Item #7 with Public Comments for the Comprehensive Plan)

The Eastern Panhandle Transit Authority (EPTA) provided the Jefferson County Planning Commission with a copy of the Transit Development Plan Scope of Work to provide an overview of what EPTA is responsible for within Jefferson County and for consideration in the County's future planning efforts.

- 2) Recent/Upcoming CC Actions relevant to Planning:

- a) PC recommended "SB 595" Vested Development Time Extensions Proposal – CC to hold Public Hearing (PH 07/31/14 7:00 pm – open 2 weeks for Public Comment)

- b) Recommendation from the Planning Commission to the County Commission on the landowner-initiated petition to amend the County Zoning Map for two parcels owned by Hoy Shingleton, Trustee for Pearl Perkins, Beneficiary; and Eric and Stacy Lindberg;. The properties are designated as Tax District: Middleway (07), Map: 1, Parcels: 1.2 (16.62 acres, with 12.67 acres in Jefferson County) and 1.1 (7 acres), located on the north side of Route 115 (Old Route 9/Charles Town Road), along the Berkeley/Jefferson County line for the purpose of setting a public hearing to be held by the County Commission (PH date 07/31/14)

- 3) Planning Commission Training – date and time TBD

- Required 2 hour training every year
- Ethics Packets and signatures to be required
- Orientation for New Members

- 4) Upcoming PC meetings

- a) Possible Special Called Meeting: August 26, 2014 (Comp Plan Comments and PC Input Discussion and Decisions)

- b) Next Regular Meeting: September 9, 2014

This information is
Tab # 13 of your binder

From: [Ed Smariga](#)
To: planningdepartment@jeffersoncountywv.org
Subject: 2014 Draft Comprehensive Plan
Date: Monday, August 04, 2014 11:41:53 AM

I would like to support the proposed land uses of Low Density Residential for Daniels Forest on page 237 of the Draft 2014 Comprehensive Plan.

Ed Smariga
Buckeye Development, LLC
125 South Carroll St., Ste. 150
Frederick, MD 21701
Tel: 301-696-0900
Cell: 703-926-7030
esmariga@buckeyedevelopment.net

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Buckeye Development LLC, 125 S. Carroll St., Ste. 150, MD 21701 (301) 696-0900
www.buckeyedevelopment.net

