



AGENDA  
Jefferson County Planning Commission  
**Special Called Meeting**  
Tuesday, August 26, 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.

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1. Review of and possible recommendations related to the Steering Committee's recommended DRAFT Envision Jefferson 2035 Comprehensive Plan based on the public comments provided at the Public Hearing on July 22, 2014, public comments received on or before 5:00 p.m. on July 28, 2014, and the Planning Commission members' input.

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  
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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](http://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.

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### **3. Cultural, Historic, Natural Resources and Recreation Element (pg. 120)**

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### **5. Finance, Public Safety, and Governance Element (pg. 146)**

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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
<b>Comments below correspond to the Future Land Use Map (large map provided to you on 06-10-14) of the Comprehensive Plan</b>					
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>	Future Land Use Map Appendix F (pg. 234)	<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>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>The 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 lots near main facility shown as Large Lot to “Residential or Commercial” designation.</p> <p>It is appropriate for the campground property on Bakerton Road to be shown as rural instead of large lot.</p> <p>Not to show the designation of a boat ramp on Knott Road, which does not have a record of use as commercial use.</p>
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.	Future Land Use Map Appendix F (pg. 234)  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.	<b>Appendix H – Definitions and Acronyms</b> (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	Amend definition to include “Overlay districts are not a mechanism by which to change existing zoning designations.”

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				area tax to improve the area defined in the overlay district	
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.	Future Land Use Map Appendix F (pg. 234) 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.
<b>Comments below correspond with the “History of Planning in Jefferson County” heading within the Overview of the Plan</b>					
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.	<b>History of Planning in Jefferson County</b> (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.”
<b>Comments below correspond with Section 1 – Land Use and Growth Element (pg. 17)</b>					
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.	<b>Section 1 – Land Use and Growth Management Preferred Growth Areas (PGAs) U.S. 340 East PGA</b> (pg. 22): “Redevelopment should consider site development that incorporates the design of the structures with the topography and other natural features.”	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	The PC may want to consider incorporating language to this effect.

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				consideration the height of the structure on the quarry property.	
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><b>Land Use and Growth Management Element</b>            Quarry Redevelopment Area (pg. 21 &amp; 22)</p>	<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>	<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>
40	Suburban Density	<p>The Plan should allow for other densities (suburban) than just Urban Level and Rural.</p>	<p>"Like the R-LI-C District, the Residential Growth (RG) District is also very broad in the number of residential uses permitted. The RG District allows uses from single family detached residential homes to large multifamily residential developments, whether as apartments, condominiums, or townhouses. It is a common practice that communities have different residential zoning categories that indicate the level of intensity permitted in those zoning categories." Page 25</p> <p>Urban Level Development Recommendations (Goal 1) Recommendation 5.C            "Establish a greater variety of zoning district options (in commercial, residential, and mixed-use zoning categories) that adhere to predictability of land use options and outcomes based on the Future Land Use Map and Comprehensive Plan policies." Page 37</p>	<p>There may be a perception that the draft Plan is written go directly from an urban environment to a rural environment. That is not how the development pattern will occur.</p> <p>While it is expected that there will be high density activity within the urban areas, it is also anticipated that there will be suburban development as well within the areas defined as urban level areas. In the Rural areas, the clustering provision outlined in the draft Plan would result in the lots in the cluster area to be of a suburban scale.</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>In this Plan, Urban Level Development is intended to be served by water and sewer,</p>	<p>No change, the draft Plan addresses this public comment. Further the draft Plan recommends additional residential zoning categories relative to density and development patterns.</p> <p>Like the additional commercial zoning categories districts recently adopted, the additional residential zoning categories would be more refined in terms of the density permitted in a district than the existing Residential Growth District that permits everything from high density attached units to low density detached units.</p>

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				<p>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>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>	
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><b>Section 1.B – Rural Land Use Planning</b>  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.”
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’.	<p><b>Section 1.B – Rural Land Use Planning</b>  (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.”</p> <p><b>Section 1.B – Rural Land Use Planning</b></p>	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.

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			<p>Recommendation 9 (pg. 42): "Establish a Transfer of Development Rights program for Jefferson County as identified in the 1986 Comprehensive Plan."</p> <p><b>Section 2.B – Agricultural &amp; Rural Economy</b>  Recommendation 1.b (pg. 82): "Establish a Transfer of Development Rights program for Jefferson County as identified in the 1986 Comprehensive Plan."</p>		
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><b>Section 1.E – Housing</b>  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.
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><b>Cultural, Historic, Natural Resources, and Recreation Element</b> (pg. 120)</p> <p><b>Land Use and Growth Management Element</b>  Quarry Redevelopment Area (pg. 21 &amp; 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.

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<b>The Comments below correspond with Section 2: Economic Development, Employment, and Infrastructure Element (pg. 66)</b>					
17	Recreational Tourism	Acknowledge that recreational tourism has off-site impacts.	<p style="text-align: center;"><b>Section 2.C – Tourism</b></p> <p>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.”</p> <p style="text-align: center;"><b>Section 2.C – Tourism</b></p> <p>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.”</p>	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.
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.	<b>Section 2.E – Transportation</b> (pg. 114-116)	<p>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.</p> <p>Demand response does exist in Jefferson County and potential expansion could be investigated with the cooperative of EPTA.</p>	Add a sentence to the Plan about EPTA’s demand response service in Jefferson County.
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	<p><b>Section 2.E - Transportation</b> Recommendation 8 (pg. 118): “Fund and expand EPTA (PanTran) services to meet the growing and evolving needs of all Jefferson County Residents.”</p> <p>Recommendation 10 (pg. 118): “Collaborate</p>	Reasonable request.	Staff recommends amending Transportation Recommendations to include the addition of 8.d to address the transportation needs of the disabled population.

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		can call for a pick up but the return trip coordination is frequently difficult or impossible to arrange.	with key stakeholders to ensure the funding and development of the Charles Washington Commuter Center in downtown Charles Town.”		
11	Transportation	Change use of the term “transportation impact fee” to “transportation designated funding”	<b>Section 2.E – Transportation</b> 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.”
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.	<b>Section 2.D - Infrastructure</b>	Reasonable request	Amend Plan to allow for cooperative or community wide solar panel system.
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.	<b>Section 2.E – Transportation</b> 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.” <b>Section 3.C – Recreation</b> 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.”	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.
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	<b>Section 2.E - Transportation</b> 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.” <b>Section 3.C: Recreation</b> (pg. 130): “One of the biggest needs identified by residents was	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.	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.  Staff recommends amending Parks and Recreation Recommendation 6.h to read,

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		of sharing the Norfolk Southern rail line right-of-way as well.	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.”		“...such as a trail from Shepherdstown to Ranson/Charles Town.”
<b>Comments below correspond with the Section 5: Finance, Public Safety, and Governance Element (pg. 137)</b>					
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.	<b>Section 5.A - Finance</b>	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.
67	County Government Meetings	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.	<b>Section 5.D – Governance</b> Recommendation 3 (pg. 156): “Provide electronic (live and/or taped) coverage of County meetings and workshops held in all locations.”	All Jefferson County Commission, Planning Commission, and Board of Zoning Appeals meetings are broadcast live and archived on the County’s website.  It should be noted that some of these concerns are addressed through services provided by volunteers such as the Good Shepherd Caregivers.	Consider amending Section 5.D - Governance Recommendations to include a recommendation 3.a to address the needs of the disabled population.
<b>Comments below correspond with the Appendices of the Plan (pg. 165)</b>					
53	Appendices	Add the Green Infrastructure Assessment to the Appendices.	<b>Goal #17, Objective #1</b> (pg. 217): “Based on the recommendations of the Jefferson County Green Infrastructure Assessment, designate priority natural resource protection areas within Jefferson County.”  <b>Section 1.D - Community Design</b>	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;

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			Recommendation 3 (pg. 52): "Encourage the development of new neighborhoods that include green infrastructure standards and best management design principles."		however the full document is not included in this Appendix."
55	Appendices	Include the Blue Ridge Mountain Communities Area Watershed Plan in the Appendix, along with the document's Engineering Report.	<b>Goal #18, Objective 2</b> (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."