

**SPECIAL SESSION:**

State of West Virginia, County of Jefferson, to-wit:

At a Special Session of the County Commission of said County and State continued and held at County Commission meeting room in the Old Charles Town Library located at 200 E. Washington Street, Charles Town, WV 25414 on January 13, 2015 at 10:00 am (An audio file of the January 13, 2015 meeting is available through the Jefferson County Commission Office.)

**PRESENT:** Jane Tabb, President  
Patsy Noland, Vice President  
Eric Bell, Commissioner  
Dale Manuel, Commissioner  
Walt Pellish, Commissioner  
Stephanie Grove, Assistant Prosecuting Attorney  
Jennie Brockman, Director of Planning and Zoning  
Alex Beaulieu, Project Manager Planning and Zoning  
Jessica Carroll, Administrative Assistant

**RE: Work Session on the 2014 Draft Comprehensive Plan**

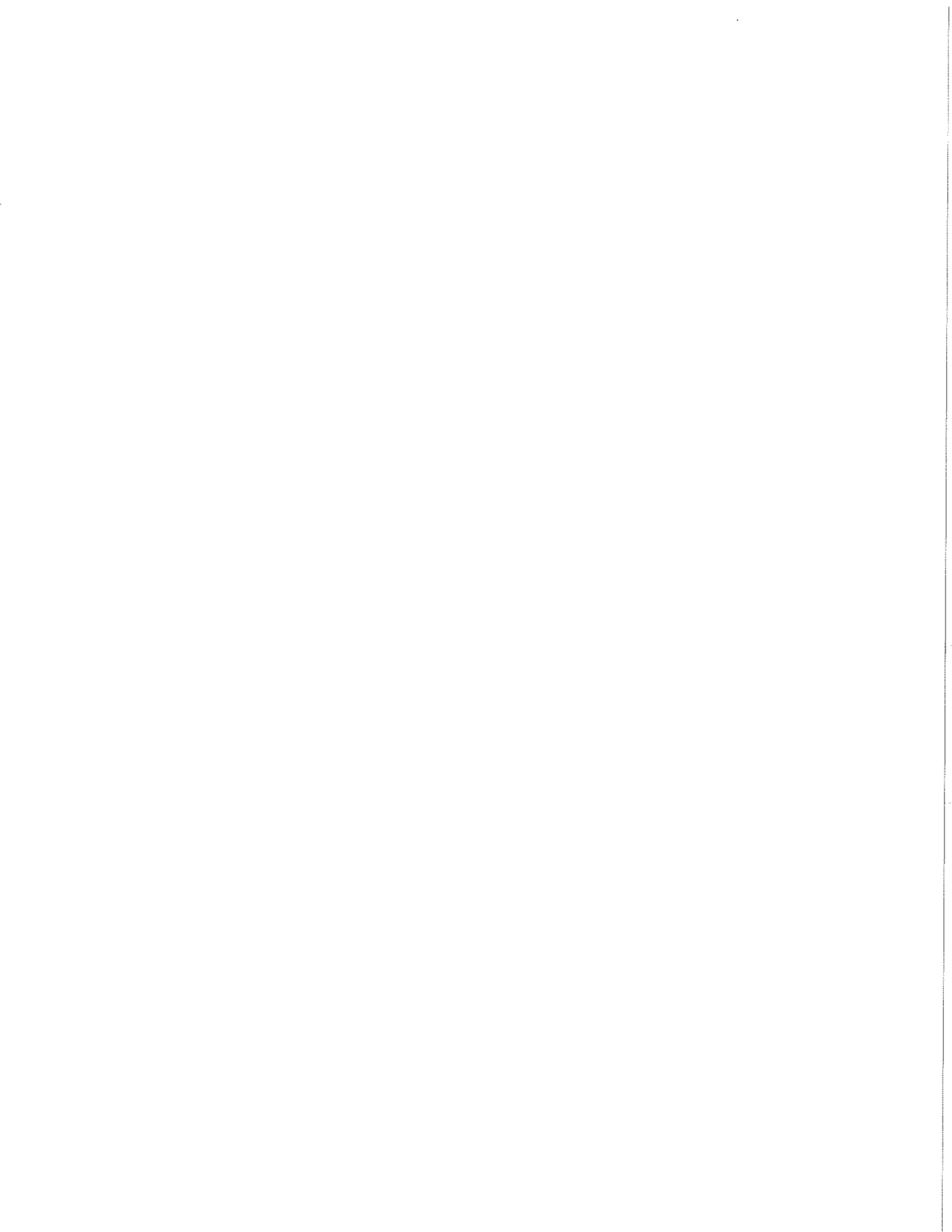
Commissioner Tabb called the meeting to order at 10:02 a.m. Ms. Tabb opened the meeting by stating if the Commission did not make a decision on the 2014 Draft Comprehensive Plan by the end of the work session, the Commission would reconvene at 10:00 a.m. on Thursday, January 14, 2015 to conclude any unfinished business and take action on the 2014 Draft Comprehensive Plan.

Ms. Brockman then reviewed the changes made to the draft document by the Commission during the January 6 and January 9, 2015 work sessions. The following motions were made during the work session:

- **Motion by Ms. Noland to amend Recommendation #2 and 2.a, 2.b, 2.c, and 2.d to read:**
  - ***#2: "Recognize that the County Commission has the authority to make land use decisions including Zoning Map Amendments based upon the finding of consistency with the Future Land Use Guide and the recommendations of this Plan; the County Commission may determine that petitions or decisions for zoning map amendments are consistent with the Comprehensive Plan if any of the following conditions are met after the entire Plan is taken into consideration:"***
  - ***#2.a: "Economic wellbeing of the County; or"***
  - ***#2.b: "Error or under scrutinized property on the Future Land Use Guide; or"***
  - ***#2.c: "Change in neighborhood; or"***
  - ***#2.d: "Any other circumstances that the governing body determines should have been considered when drafting the Future Land Use Guide"***

**Motion passes on a vote of 4-1 with Mr. Manuel opposing.**

- **Motion by Mr. Manuel to amend Ms. Noland's motion to include 2.e to state, "Environmental impacts are considered." Motion unanimously approved.**



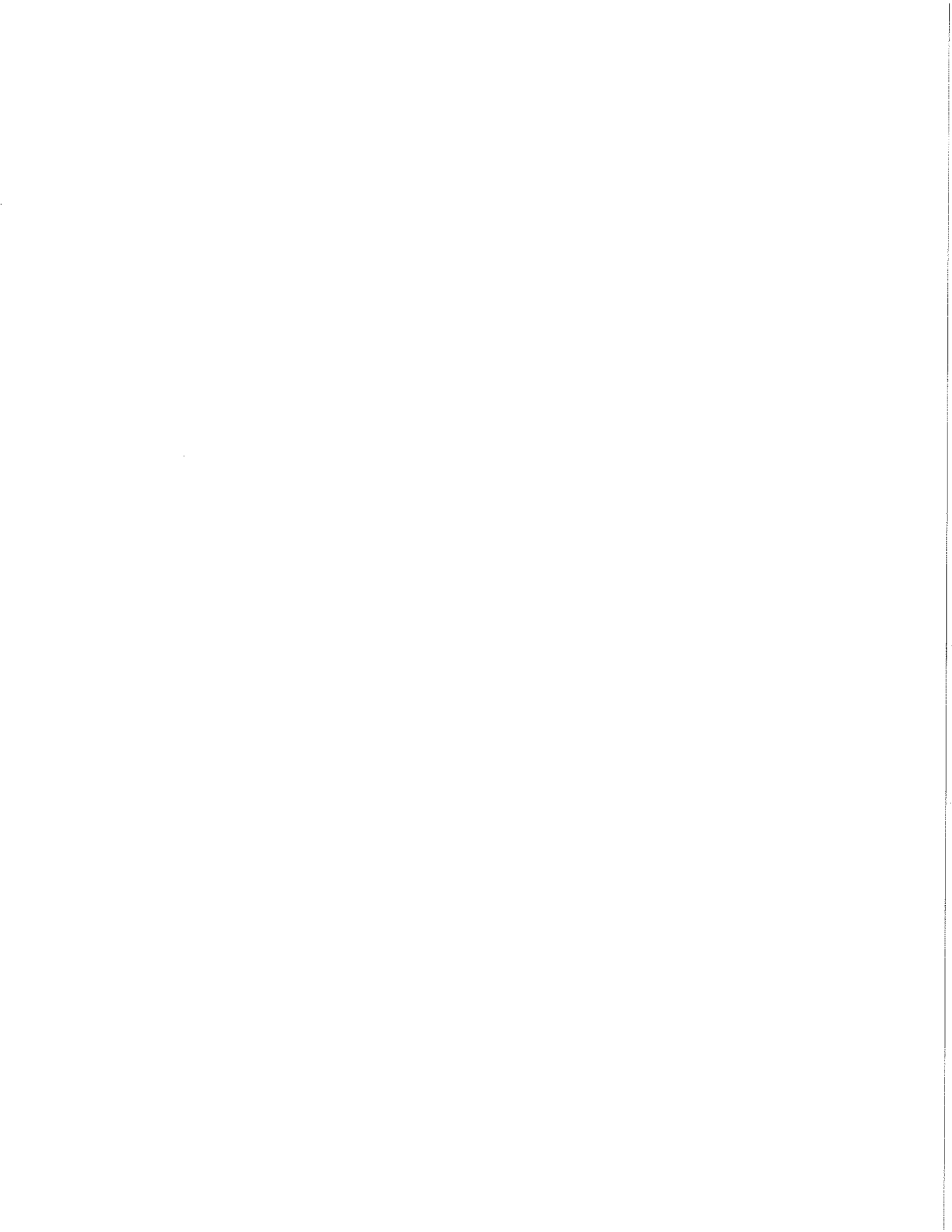
To review the consensual changes made to the 2014 Draft Comprehensive Plan during this work session, please refer to the Planning and Zoning departmental memorandum attached to these minutes.

The work session adjourned at 1:12 p.m, and President Tabb stated the Commission would reconvene at 10:00 a.m. on Wednesday, January 14, 2015 to take action on the Plan.

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JANE TABB, PRESIDENT

Respectfully submitted  
Jessica D. Carroll  
Executive Administrative Assistant





# Jefferson County, West Virginia

Departments of Planning and Zoning

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## MEMORANDUM

**TO: Planning Commission**

**FROM: Jennifer M. Brockman, AICP, Director, Planning and Zoning**

**DATE: January 27, 2015**

**RE: County Commission's redlined draft of the Envision Jefferson 2035 Comprehensive Plan**

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On December 11, 2014 and January 6, 9, 13, and 14, 2015, the County Commission met with staff to review and discuss the current draft *Envision Jefferson 2035 Comprehensive Plan*. Attached are the redlined edits as directed by the County Commission.

The following is intended to provide a summary of the substantive edits made throughout the text but may not include all minor edits to grammar, spelling, and punctuation. The list includes all County Commission initiated and staff initiated edits and separately lists edits to the Future Land Use Map. Please refer to the document dated 01/14/15 to see the red-lined text for context. The following pages refer to the 01/14/15 draft of the Plan.

### Summary of Recommended Changes as a result of the County Commission work sessions:

- Page 10: added paragraph regarding County Commission meetings and efforts to improve customer service through making data and resources available to the public.
- Page 13: deleted lists; information duplicated in Appendix C on page 201. Added Planning Commission and County Commission work sessions and public hearings to the list of **Public Workshops, Surveys, and Open Houses** in Appendix C.
- Page 14: added discussion as to the purpose of the Goals and Objectives
- Page 15: added reference to Future Land Development Map
- Page 15: added reference to seventh PGA regarding Residential Areas
- Page 17: added Future Land Development Map; also included 11x17 size in appendix F – Maps.
- Page 18: clarified the relationship of the plan text and future land use guide to owner initiated zoning map amendments; updated all references to the Future Land Use Map to reflect Future Land Use *Guide*; reference changed throughout the document.
- Page 19: moved the following statement “All property owners within Jefferson County have the right to request a zoning map amendment.” from the discussion under **Urban Growth Boundary** (p. 21) to the discussion under **The Difference between Land Use Maps and Zoning Map**, to better reflect Recommendation #2 on page 33.
- Page 22: reorganized discussion of the UGBs and added discussion related to Ranson and Charles Town UGBs.
- Page 25: added discussion related to Shenandoah Junction PGA/School Based Growth Area
- Page 26: added discussion related to Residential Preferred Growth Area

- Pages 27, 28, 29, 41, 42, 84, 86, 109: Amended text to reflect the County Commission's recommendation to eliminate the use of the LESA system and modify the CUP process for non-residential development in the Rural Zoning District
- Page 28: strengthened the language about retaining existing land rights under **Retention of Existing Zoning Map Classifications** and referenced Growth Areas from the 2004 Plan to reflect the addition of that boundary to the Future Land Use Guide.
- Page 30: added discussion pertaining to Future Land Use Guide
- Page 31: relocated Recommendation #7.b from page 35 to the body of the document on pages 31-32 – **Section 1.A Urban Level Development Area.**
- Page 33: amended Recommendations #2 and 2.a, .b, .c, .d, and .e to read:
  - #2: **“Recognize that the County Commission has the authority to make land use decisions including Zoning Map Amendments based upon the finding of consistency with the Future Land Use Guide and the recommendations of this Plan; the County Commission may determine that petitions or decisions for zoning map amendments are consistent with the Comprehensive Plan if any of the following conditions are met after the entire Plan is taken into consideration:.”**
  - #2.a: **“Economic well-being of the County; or”**
  - #2.b: **“Error or under scrutinized property on the Future Land Use Guide; or”**
  - #2.c: **“Change in neighborhood; or”**
  - #2.d: **“Any other circumstance that the governing body determines should have been considered when drafting the Future Land Use Guide; and/or”**
  - #2.e: **“Environmental impacts are considered.”**
- Page 34: amended Recommendation 8.a to read: “Encourage the clustering of development so that the developer retains their density while dedicating community facilities.”
- Page 35: deleted recommendation 7.b
- Page 36: amended recommendation 8.a
- Page 37: delete the last sentence from Recommendation #13.b
- Page 38: amended recommendations 14, 14.a, and 15 to reflect new commercial and industrial zoning categories and the need for additional residential categories.
- Pages 41 & 42: strengthened statement that cluster is the preferred form of residential development in the rural areas, that the cluster provisions require amending and clearly stating the retention of the by right 1 lot/15 acres, minor subdivision process (2 lots every 5 years), and parent and child provisions.
- Page 42: added footnote referencing Zoning Ordinance/minor subdivision process
- Page 45: amended Recommendation 4.b to reflect CC request to eliminate the LESA system.
- Page 45: modified Recommendation #4.c related to proposed changes to the cluster provision to be less specific as these details will be part of a future Zoning Ordinance text amendment.
- Page 46: deleted Recommendations #7, 7.a, and 7.b.
- Page 46: added new Recommendations #7 and 7.a
- Page 46: deleted recommendation 8
- Page 49: broadened the discussion of the village expansion areas depicted on the future land use guide and clarified the intent for growth in these areas; changed recommendation 2.b on page 51 to reflect text.

- Page 57: amended Recommendation #7 to include an example.
- Page 68/69: amended Recommendation #8 to read: “~~Request the Partnership for Affordable Housing and the Eastern Board of Realtors collaborate in conducting~~ Encourage a periodic ‘housing market needs assessment’ to identify both 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.”
- Page 69: deleted recommendation 11.c
- Pages 70 & 71: Moved the entire section entitled “Intergovernmental Coordination” from Section 5.c to create a new Section 1.F; added introductory sentences about Jefferson County Commission’s transparency; deleted provisions for sharing Human Resources staff and consolidating purchasing (previously pp. 156-157)
- Page 79: Added Recommendation #2.a “~~Establish a working relationship with Washington Metropolitan Council of Governments and Loudoun County’s Transportation and Safety Commission to address highway transportation problem areas identified in both counties.~~”
- Page 81: combined Recommendation #11 and its subcategories to create a new Recommendation #10.e “~~Coordinate with appropriate agencies to publicize available scholarship programs for students interested in the target industries to strengthen workforce development in Jefferson County.~~”
- Page 84: under **Agricultural Service Facilities**, added “~~There are no meat processing facilities in the County and nearby out of state facilities are limited to mass production which excludes small farmers from receiving this service.~~” And added to Recommendation 11 on page 90.
- Page 86: under **Transportation in the Rural Environment**, added discussion about the impact of farm equipment on the road system and clarified that cluster development is the preferred form of rural residential development
- Page 88: added new Recommendation 1.b. “~~Create an educational pamphlet informing developers, realtors, and potential homeowners of the offsite impacts of living adjacent to farming activities.~~”
- Page 88: deleted recommendation 4.a as it is a land use issue and is addressed in that section:
  - “~~Develop methods to ensure the maximum lot yield on the residue is calculated using the permitted densities as found in the rural zoning classification.~~”
- Page 91: added Recommendation 15.d “~~Encourage schools to use local agricultural products in cafeterias through partnerships with local farmers and CSAs.~~”
- Pages 91 & 92: restructured Recommendation 17 to include sub-recommendations rather than one long recommendation; deleted the last sub-recommendation 17.e: “~~A reduction in the personal property tax for farm vehicles~~ as this provision already exists in state law.
- Page 93: added Horse Racing to title “Cultural, Rural, **Horse Racing**, and Gaming Tourism”
- Page 96: added Recommendation 1.b. “~~Coordinate with the Jefferson County Convention and Visitors Bureau (CVB) to maintain and promote a community calendar.~~”
- Page 96: reinstated language about rural landowners’ property rights to Recommendation 8.a. and re-worded Recommendation 8.b.
  - “When considering additional river recreation activities, **rural landowners’ property rights** and the quality of life of the individuals and families living along the waterways should be factored into proposed development plans.

- Page 104: modified Recommendation 1.b. “Provide and encourage mechanisms to have **consolidated one** water and sewer providers in the County”
- Page 105: added Recommendation 3.d. “**Encourage the PSDs to promote cooperation with the local development community to work toward cost sharing on infrastructure projects.**”
- Page 105: changed Recommendation 5.b. “**Pursue an amendment to the state code to allowEnable** residents who are required to connect to an extended water or sewer network, to continue to utilize existing individual well and septic systems for the lifetime of the home system if there are no public health issues.
- Page 106: deleted Recommendation #11 as the program no longer exists.
- Page 106: modified language in Recommendation #12.
- Page 114: add paragraph identifying the limited access to Mission Road communities as a safety issues and discussion the need to additional points of access; Added Recommendation 5 and 5.a. regarding this issue (Page 125)
- Page 119: added discussion related to the County’s inclusion in the Hagerstown/Eastern Panhandle Metropolitan Planning Organization (HEPMPO) and the needs to establish a working relationship with Loudoun County which is a different MPO but shares transportation issues with Jefferson County.
- Page 124: added new Recommendation 1.d. “**Recommend that the WVDOH consider Jefferson County’s rural economy when developing roadways and traffic circles; encourage wider roadways and traffic circles to accommodate agricultural machinery and equine vehicles.**”
- Page 125: reformatted Recommendation 4 to create subcategories and added 4.b. and 4.c.:
  - “**Encourage early and effective communication between the County Commission and the DOH for proposed road improvements and projects in the County.**”
  - “**Encourage the DOH to identify preferred alternatives and required ROW and communicate with local planning staff as early as possible to minimize conflict with future development.**”
- Page 136: added “**Natural Resources Conservation Services (NRCS)**” to Recommendation #2.
- Page 136: added “**Collaborate with the NRCS to support and maintain an accurate map . . .**” to Recommendation #5 regarding sinkholes and caves.
- Pages 144-145: relocated several Education Recommendations that were not recommendations to the text of the document (shown in red on pages 144 – 145).
- Page 147: amended Recommendation #3 to read, “Continue to work with the West Virginia Department of Education and the local State delegation to re-evaluate the funding formula related to state based educational aid schools **in order to create a quality Jefferson County public school system.**” Deleted Recommendation 3.a.
- Page 147: amended Recommendation #6 a follows: “Continue and expand before and after care programs at the County’s public schools, **including child care during school hours for school-age parents, by providing adequate space on site.**”
- Pages 147-148: amended Recommendation #10 to include “. . . . **and specialized areas of higher education in a variety of disciplines in order to create a flexible, resilient workforce.**”

- Page 148: Modified Recommendations #10.a - #10.e to encourage the creation of stronger skilled trades programs in addition to college prep programs; deleted Recommendation #10.d; and modified Recommendation #11 and made it a new Recommendation #10.e.
- Page 148: deleted Recommendation #13 "~~Work with state officials to identify programs and methods to provide competitive pay for teachers based on cost of living for the community in which they are employed.~~"
- Page 150: deleted Recommendations #1, 1.a., 1.b., 7, and 8 regarding library operations and moved Recommendation #4 to be a part of Recommendation #1 (old #2) as follows:
  - "Continue to identify ways to affordably provide traditional and virtual library services; ~~such as a bookmobile service that can serve village areas, senior centers and underserved areas;~~ and ~~educational~~ entertainment options to residents of Jefferson County."
- Page 151: changed heading of "Finance ~~and Public Safety, and Governance~~ Element" because the Governance Recommendations were deleted from the Plan.
- Page 152: deleted final paragraph about the two-tiered impact fee system (to remain consistent with other edits/deletions to this topic).
- Page 153: **Property Tax** text was modified to eliminate the proposed reduction of property tax for multiple properties and modified to support a reduction in property tax that meet affordable housing standards. Similar amendments occurred on Page 155 regarding Recommendation #14.
- Page 154: Recommendation #5 was modified to read "Evaluate present funding for County facilities and programs, ~~and~~ pursue funding sources that can fund ongoing expenses, ~~and develop capital improvement plans to meet future needs of the County.~~" and Recommendations 5.a - 5.d were deleted.
- Page 154: Recommendations #7 and #8 regarding fire and ambulance fees were deleted and a new Recommendation #7 was created "~~Explore all funding options to support and enhance emergency services.~~"
- Page 154: amended Recommendation #8 (old #9): "~~Explore all funding options for expansion of and improvements to water and sewer projects in Jefferson County. Implement a Capacity Improvement Fee (CIF) for water and sewer projects as provided for in the Local Powers Act.~~"
- Page 154: Recommendation #11 was deleted "~~Consider the development of transportation designated funding to support future roadway funding.~~"
- Page 155: amended Recommendation 13 to read:
  - "~~Explore options Coordinate with the Jefferson County Historic Landmarks Commission to develop and implement a tax credit or reduction of property taxes for those improving and investing in designated historic structures while maintaining the historic character of the structures.~~
  - "~~Pursue state enabling legislation related to historic tax credits.~~"
- Page 157: amended Recommendation #3 "~~Explore funding resources to provide, by 2035, sufficient funding from all available resources to enable fire and ambulance service to all areas of the County within a reasonable timeframe by 2035.~~"
- Page 157: amended Recommendation #4 "Consider the merger of countywide and municipal police services or training activities under a unified agency ~~to maximize resources.~~"
- Page 157: deleted Recommendations #5, #9, #10:

- ~~#5: “Consider the creation of paid fire and rescue staff positions in the Charles Town/Ranson area and in Shepherdstown.”~~
- ~~#9: “Encourage cross training of county fire, EMS, and police/sheriff staff in a variety of functions.”~~
- ~~#10: “Regularly update the County’s 911 response center to ensure that it is able to adjust to technological changes and advancements.”~~
- Page 157: amended Recommendations #9 and 9.a to read
  - ~~“Continue to support and implement a local Flood Plain Management Program, adhering to all Federal Emergency Management Agency (FEMA) requirements, to reduce homeowners’ insurance premiums and increase public safety. Provide greater awareness of local Emergency Management and Hazard Mitigation Planning efforts, including notifications and procedures related to hazardous materials incidents.~~
  - a. Support the updating of FEMA floodplain maps to accurately reflect floodplain boundaries through the federal Letter of Map Amendment (LOMA) process. ~~Ensure that local pay is competitive for police, fire, and EMS based on cost of living for the community that they are employed in.”~~
- Pages 158-159: deleted all of Section 5.D Governance.

## Future Land Use Map Edits County Commission Work Sessions:

- Changed title of map to Future Land Use **Guide**
- Expanded Shepherdstown PGA boundary to include two lots that belong to Harry Catrow (~25.83 acres) off of Route 45. Maintain future land use classification as low density residential (yellow).
- Expanded Shepherdstown PGA boundary to include 3.85 acre parcel that belongs to Charles Carter off of Route 45. Change future land use classification to Residential Commercial (magenta).
- Created a new PGA and village expansion boundary to incorporate Shenandoah Junction area from Flowing Springs to railroad tracks (called: Shenandoah Junction PGA / school based growth area). Within the new PGA, changed future land use classification for parcels closest to schools from agricultural to medium density residential (orange).
- Created a new residential PGA boundary to incorporate core residential area bounded by Old Country Club Road, Flowing Springs Road, Job Corps Road, Shepherdstown Pike (WV 230) to the railroad tracks.
- Removed PGA around parcels off of Route 9/Luther Jones/Wiltshire Road area.
- Placed colored asterisks on each of the two Quarry Redevelopment areas with a note referencing back to the text (page 21-22).
- Placed an asterisk identifying the Northport parcel with a note referencing back to the text (page 117). Revised purple asterisk title to reflect “Northport Station at Jefferson Orchard”
- Changed Breckenridge subdivision parcels (south of Job Corps Road and Walker property) to reflect Medium Density Residential (orange).
- Changed Gibson farm & adjoining rural parcels on Route 230 to reflect Future Large Lot Residential (pixelated light green).
- Changed Walker & Shade Tree Lane parcels to reflect medium density (orange).
- Changed Stonecrest parcels shown as Rural off Old Country Club Road to reflect Low Density Residential (yellow).
- Created a Village Expansion Boundary around the 19.63 acre parcel north of the current Manning’s village boundary.
- Changed all parcels within the Mannings Village Expansion boundary to reflect residential/commercial (yellow & red stripe).
- Changed land use classification for Torlone’s to reflect Neighborhood Commercial (pixelated red)
- Changed land use classification for Foodway Supermarket (formerly Weber’s Market) off of Mission Road (~4.09 acres) to reflect Neighborhood Commercial (pixelated red).
- Added a black outline of 2004 growth area, entitled “2004 Growth Area”
- Updated Note #2: “Use of this map is to be in combination with the text and land use **policies recommendations** of the Envision Jefferson 2035 Comprehensive Plan when considering Zoning Map Amendments and future land use decisions.”

**\*\*\*Please be advised that the notes on the map will be updated to reflect correct page numbers referencing back to the text once the final edits are accepted. Note #2 will also be revised to reflect the CC’s recommended change to read: “Use of this map is to be in combination with the text and land use **policies recommendations** of the Envision Jefferson 2035 Comprehensive Plan when considering Zoning Map Amendments and future land use decisions.”**

