

**A Motion to Approve
A Policy Related to Vested Property Rights in Jefferson County WV**

June 21, 2012

Whereas, The Jefferson County Citizen for Economic Preservation have requested that the County Commission approve a policy or ordinance amendment extending relevant time frames relating to plans and plats vested under the provision of SB 595 in 2010 to July 1, 2015; and

Whereas, The Planning Commission discussed this request at their May 15, 2012 meeting and recommended approval to the County Commission; and

Whereas, the County Commission reviewed the draft proposal on May 3, 2012 and conducted a public hearing on the draft proposal on May 31, 2012;

Now therefore be it moved, that the Jefferson County Commission approves the following policy:


1. The validity of any subdivision plan or plat that was valid and outstanding as of January 1, 2010 and had received preliminary approval by the Planning Commission prior to March 1, 2010 shall be extended from July 1, 2012 until July 1, 2015. Any other plan or permit associated with the subdivision or land development plan or plat shall also be extended for the same time period.
2. The requirements for the vesting of property rights contained in an ordinance enacted pursuant to 8A-4-2 that require the performance of any action within a certain time period for any subdivision or land development plan or plat that was valid and outstanding as of January 1, 2010 and had received preliminary approval by the Planning Commission prior to March 1, 2010 shall be extended from July 1, 2012 until July 1, 2015. This provision would apply to all special and conditional use permits or any other agreement or zoning action.
3. Any plat or plan affected by this extension shall conform with the Stormwater Requirements of the most current regulations in effect at the time when the plat or plan is submitted for approval.

Recommended by _____ this 21st day of June, 2012

By vote of the Jefferson County Commission

By a vote of Yes No

JEFFERSON COUNTY COMMISSION


Patsy Noland, President
Jefferson County Commission

Jennifer S Maghan
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