



AGENDA
Jefferson County Planning Commission
Tuesday, December 8, 2015, 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:
 - November 10, 2015
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:** Proposed text amendment to the Zoning Ordinance related to Mass Events, as revised during the October and November 2015 Planning Commission meetings (ZTA 14-02). The amendment includes creating the new Section 8.16 “Mass Event Regulations” for major and minor mass events and provides details on the Public Hearing process before the Board of Zoning Appeals and the submittal of a Zoning Certificate and Sketch Plan, which is administratively approved.

There is no public comment for the remaining items.

5. Discussion and possible recommendation to the County Commission on the proposed text amendments to the Zoning and Land Development Ordinance and the Subdivision and Land Development Regulations regarding campground standards (File #STA15-04 and ZTA15-02).
6. Review and Discussion of proposed draft redlined edits to Article 12 of the Zoning Ordinance RE: Zoning Map and Text Amendments (File #ZTA15-03).
7. Review and Recommendation of staff edits to amendment to the Subdivision and Land Development Regulations RE: Subdivision and Site Plan Processes (File #STA15-05) previously sent to County Commission.
8. Discussion and possible action related to document submission policy.
9. Review and approval of the 2016 Planning Commission Meeting Schedule.
 - Discussion and possible action related to the revision of the 2016 Planning Commission Meeting Schedule which was previously approved on 11-10-15.
10. Reports from Legal Counsel and legal advice to the Planning Commission.
 - a) Active Litigation:
 - Far Away Farms: Report on legal action in Jefferson County Circuit Court, Case # 11-C-325 Possible Executive Session
 - Shiloh Citizens Association: Report on legal action in Supreme Court, Docket #15-1031 Possible Executive Session.

11. Director's Report.

12. Planning Commission Exchange and Liaison Reports:

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

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14. President's Report.

15. Actionable Correspondence.

16. Non-Actionable Correspondence.

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 office of the Departments of Planning and Zoning.

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.

DRAFT

Jefferson County Planning Commission
November 10, 2015

The Jefferson County Planning Commission met on November 10, 2015, with the following Commission members present: Steve Stolipher, President; Wade Louthan, Vice President; Gene Taylor, Secretary; Dale Manuel, Gary Phalen, Mike Chapman, and Peter Fricke. Staff members present included Jennie Brockman, Director of Planning and Zoning; David Simon, County Planner; Lydia Lehman, Assistant Prosecuting Attorney; Jonathon Saunders, County Engineer; and Rhonda Greenholtz, Planning Clerk.

Mr. Fisher and Mr. Childs were absent with prior notification

Mr. Stolipher called the meeting to order at 7:00 PM.

1. Approval of the Minutes from the following Planning Commission Meeting
 - October 13, 2015
 - October 27, 2015

The minutes were approved with no objections.

2. Citizen Communications.

Mr. Ted Schiltz spoke in reference to Agenda Item # 6. Mr. Schiltz stated concerns of losing details that are currently in the Zoning Ordinance regarding Commercial Uses in campgrounds.

Ms. Jessica Getman, General Manager, KOA Campground Harpers Ferry spoke in reference to Agenda Item # 6. Ms. Getman had a few more suggestions for consideration in addition to comments previously submitted.

- Section 8.2 (e)2: Sanitation facilities should be located at “Dump Stations”, which are typically used for refuse and are generally located near the exit of the campground. Water should be provided at “Comfort Stations”. Both should be defined in the Ordinance.
- Section 8.2 (e)3: 40 RV sites per hookup is contradictory to the National Fire Protection Standards NFPA1194. NFPA1194 Standard is 1 hookup per 100 sites.
- Article 2 Section 2.2 (Zoning Ordinance) Definitions: Clarify “Lodging”.
- The changing in the definition of “Campground” from “Single Ownership” to “located on a single lot” was found to be confusing and restrictive.
- Article 8 Section 8.16 (a)2. The change from 30 days to 180 days was more acceptable, however, no mention of days would be sufficient. This would allow transient contractual workers and people building houses to stay at a campground. No permanent residency is allowed.
- Article 8.B.1(b): 200’ setbacks from a property line seems excessive for campsites.

Ms. Getman asked the Planning Commission to please consider those points and thanked them for the opportunity to be allowed input on this topic

Mr. Doug Rockwell spoke in reference to Agenda Items # 6 and 7. Mr. Rockwell provided a handout of pages 73 and 74 of the Envision Jefferson 2035 Comprehensive Plan to the Planning Commission members. Attention was brought to the second paragraph of the second page of the handout. Mr. Rockwell stated that the Campground Regulations as presently drafted are in direct violation of the adopted Envision Jefferson 2035 Comprehensive Plan. He suggested that the CUP process would be much simpler.

Mr. Rockwell noted some of his observations on the draft Campground Regulations. Compliments were given to the Staff and Planning Commission for putting it together. He stated that Standards for campgrounds in Rural zones and Commercial zones should be different.

Mr. Bob Aitcheson spoke in reference to Agenda Item #6 and 7. Mr. Aitcheson stated he was under the impression that it was decided by the Planning Commission that the Jefferson County Emergency Services were not to have input nor be part of any approval/disapproval process of emergency plans submitted for an event such as the All Good Festival or other mass event.

Mr. Aitcheson read a portion of a letter written by Mr. Doug Rockwell. The letter asked that the Board or Agency which has the authority to determine the number of days be identified in the Ordinance. He stated there is no definition of "temporary" in the Subdivision Regulations or the Zoning Ordinance. Such vague and abstract terms are used and are subjective in nature.

3. Request for postponement. None.
4. Review and approval of the 2016 Planning Commission Meeting Schedule.

Mr. Chapman made a motion to approve the 2016 Planning Commission Meeting Schedule. Mr. Taylor seconded the motion which carried unanimously.

5. **A Public Hearing was held:** A Request by DR Acquisitions, LLC was made for a variance from the 1979 Subdivision Ordinance, Section 8.2.a.14 (File #PCV15-04). The request was made for a reduction in the diameter of a cul-de-sac located on Wilderness Court from 80' to 65'. Property location: north side of Route 340 (Sheridan Estates). Tax District: Harpers Ferry (04); Tax Map: 9D; Zoned: Residential Growth.

Mr. Stolipher recused himself from this agenda item due to a conflict of interest. Mr. Louthan presided over this portion of the meeting.

Ms. Brockman stated that the request is for the alteration of a cul-de-sac and deferred to the Engineering Department for recommendation.

Ms. Kristin Stolipher represented the applicant and provided an overview of the request. Ms. Stolipher stated that the cul-de-sac was constructed 2 feet lower than originally designed creating a severely steep driveway for Lot 160. Reducing the existing diameter from 80' to 65' and removing 15' of existing pavement of the constructed cul-de-sac would resolve this issue. The HOA for Sheridan Estates and contiguous lot owners have been contacted by the applicant and are in agreement with this request.

Mr. Louthan opened the floor to public comment. There was no public comment.

Mr. Saunders provided an overview of the Engineering report. The Sheridan Estates Subdivision was approved under the 1979 Jefferson County Subdivision Ordinance which required a dead end street to place an 80' diameter cul-de-sac. At that time, a tee or Y turnaround was not permitted for roads with more than 5 lots to have access to a dead end street. According to the current Jefferson County Subdivision Regulations, Wilderness Court would be allowed to utilize a tee or Y turnaround. Mr. Saunders recommended approval of the variance.

Mr. Gene Taylor made a motion to grant the variance request. Mr. Dale Manuel seconded the motion, which carried unanimously.

6. Discussion and possible recommendation to the County Commission regarding the public input received on the proposed text amendments to the Zoning and Land Development Ordinance and the Subdivision and Land Development Regulations regarding campground standards (File #STA15-04 and ZTA15-02).

Ms. Brockman stated that while staff was reviewing the documents, a few more minor necessary edits were identified. Ms. Brockman wants the Planning Commission to draft edits that clearly address campgrounds in both Commercial and Rural areas.

A discussion was held at length recommending edits that expand the definition of the types of Campgrounds and more clearly defining the amenities allowed within the various types of Campgrounds. Road standards and points of access to campgrounds were also discussed and further investigation will be needed before final edits will be made. The Planning Commission also discussed what types of camping should be permitted within a floodplain. It was agreed that all camping must comply with the Jefferson County Floodplain Ordinance. The Planning Commission also discussed how many campsites should be permitted per acre of land; setbacks; and vegetative screening. The Planning Commission requested that the definition of "Short term temporary use" be more clearly defined.

Mr. Stolipher asked if the Planning Commission had any additional revisions. There were no additional suggestions. Mr. Stolipher requested that staff revise the draft amendment to reflect the changes discussed and place on the agenda for review at the December 8, 2015 Planning Commission meeting for discussion and recommendation to the County Commission.

7. Discussion and possible recommendation to the County Commission regarding the proposed draft Zoning Ordinance Text Amendment RE: Mass Event Regulations (File #ZTA14-02).

Mr. Stolipher recused himself from this agenda item due to a perceived conflict of interest. Mr. Louthan presided over this portion of the meeting.

Mr. Chapman proposed adding a minimum threshold for minor mass events. The Planning Commission discussed at length and agreed that a minor mass event minimum attendance should be 250-1,000 attendees.

Ms. Lehman stated that after a discussion with the County's insurance agent, the sliding scale pertaining to bonding and insurance rates should be added back into the amendment. The Planning Commission discussed bonding and insurance rates and determined that the original bonding scale should be added back into the proposed amendment with the revision to rates for events with more than 10,000 attendees should be increased to \$20,000/day. They also discussed the insurance requirements and revised the sliding scale to reflect such that any event under 2,000 attendees should be at least \$1,000,000.00 and any event with more than 2,000 attendees should be \$2,000,000.00 policy.

Mr. Manuel requested that the requirement for JCESA to "verify that a WV Licensed EMS Provider is adequately equipped and prepared for the event" be clarified to read: "The JCESA Board shall verify in writing that a WV Licensed EMS Provider is adequately equipped and prepared for the event."

Mr. Manuel made a motion to hold an additional public hearing at the December 8, 2015 Planning Commission meeting due to significant changes in the document since the last Public Hearing held by the Planning Commission on August 12, 2014 and the County Commission Public Hearing held on October 1, 2014. Mr. Fricke seconded the motion which carried unanimously.

8. Review and Discussion of proposed draft redlined edits to Article 12 of the Zoning Ordinance RE: Zoning Map and Text Amendments (File #ZTA15-03).

Ms. Lehman requested to postpone the discussion of this item until the next regular scheduled Planning Commission meeting in order to gather further information.

9. Discussion and possible action related to document submission policy (SS).

Mr. Stolipher stated that he was working on drafting a policy related to the submission of documents for agenda items. The Planning Commission discussed this topic and determined that there should be a deadline of week prior to a meeting for documents submitted to the Planning Commission for consideration on an agenda item. They stated that a week would allow ample time to review the comments before the meeting rather than having a large document submitted the night of the meeting and having no time to review and consider before making a decision. Ms. Brockman stated that she would work with Mr. Stolipher to prepare a draft policy for review and possible action at the December 8, 2015 Planning Commission meeting.

10. Reports from Legal Counsel and legal advice to the Planning Commission.

- Shiloh Citizens Association: Report on legal action in Jefferson County Circuit Court, Case #15-C-129

Ms. Lehman provided an update on the case and provided a copy of the Scheduling Order to the Planning Commission members on Case #15-C-129.

- Far Away Farms: Report on legal action in Jefferson County Circuit Court, Case #11-C-325

Ms. Lehman provided a copy of the motion response dated November 10, 2015 to the Planning Commission members.

A motion was made by Mr. Chapman to enter into Executive Session to discuss pending litigation at 9:15 PM and was seconded by Mr. Phalen which carried unanimously.

A motion was made by Mr. Fricke to come out of Executive Session at 9:23 PM and was seconded by Mr. Louthan which carried unanimously.

11. Directors Report.

- Ms. Brockman informed Mr. Stolipher that a Public Hearing for the Mass Event Ordinance has been scheduled for the December 8, 2015 Planning Commission meeting.

12. Planning Commission Exchange and Liaison Reports:

- Mr. Fricke stated that the Historic Landmark Commission will meet on November 17, 2015

13. President's Report.

- Mr. Stolipher requested that a Roundtable meeting be scheduled for Wednesday, January 27, 2016 at 3:00 PM in the Old Charles Town Library Meeting room to discuss the Vesting of Projects (Senate Bill 595) and to discuss Tolling and Bonding.

14. Actionable Correspondence. None.

15. Non-Actionable Correspondence. None.

Mr. Stolipher motioned to adjourn the meeting at 9:30 PM.

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

DELETE THE FOLLOWING SECTIONS:

~~Section 2.2 Terms Defined~~

~~Seasonal Use⁵ — 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, 23}~~

ADD THE FOLLOWING SECTIONS:

Section 2.2 Terms Defined

Mass Event, Major Any outdoor gathering of more than 1,000 people on any parcel, regardless of the length of time or type of activity. A Mass Event, Major may be permitted to occur in the Rural Zoning District, General Commercial, Highway Commercial, Residential-Light Industrial-Commercial, or Industrial Commercial ~~or any commercial~~ zoning districts and is prohibited on a property in ~~any the R~~Residential Growth zoning district and in any major subdivision. A Mass Event, Major shall not qualify as a Rural Reception/Event Facility.

Mass Event, Minor Any outdoor gathering of more than 250 and less than 1,000 people on any parcel, regardless of the length of time or type of activity. A Mass Event, Minor may be permitted to occur in zoning districts detailed in Section 8.16 and Appendix C. A Mass Event, Minor shall not qualify as a Rural Reception/Event Facility.

Section 8.16 Mass Event Regulations

A Mass Event, Minor is any outdoor gathering of more than 250 and less than 1,000 people on any parcel, regardless of the length of time or type of activity. A Mass Event, Minor may be permitted to process administratively if camping or overnight lodging is not proposed. If camping or overnight lodging is proposed, or if the proposed event will occur in the Neighborhood Commercial or Village zoning districts, the applicant shall adhere to the requirements for a Mass Event, Major as outlined in this section. Any Mass Event, Minor that is proposed to occur on a parcel with shared access shall be considered by the Board of Zoning Appeals pursuant to a Public Hearing and the notification requirements of Section 3.4A.3.b shall apply.

A. Mass Event, Minor Application

1. Approval of a Mass Event, Minor shall require the submission of an application at least 180 days prior to the event.
2. Applications for events with more than 250 and less than 1,000 attendees and which are located on a parcel that does not have shared access may process administratively. Applications for events located on a parcel with shared access shall be considered by the

Board of Zoning Appeals pursuant to a public hearing and the notification requirements of Section 3.4A.3.b shall apply. Any application proposing camping or overnight lodging shall adhere to the requirements for a Mass Event, Major as outlined below.

3. A Mass Event, Minor will be in accordance with the following criteria:

- a. Each Mass Event, Minor must be the subject of separate application.
- b. 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.
- c. No Mass Event, Minor may last more than three days, including attendee arrival and departure dates. Only one Mass Event, Minor may occur per year on any given parcel or a portion of any given parcel.
- d. Each Mass Event, Minor application will be required to submit an application fee of \$100.
- e. As part of the application, a sketch plan detailing the layout of the proposed event shall be submitted. A sketch plan should delineate areas for parking, performance areas (if applicable), bathrooms, food, concessions, setbacks, and any other information required by planning or engineering staff.
- f. The applicant shall provide written proof of appropriate general commercial liability insurance coverage for \$1,000,000 which specifically covers the Mass Event.

A Mass Event, Major is any outdoor gathering of more than 1,000 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, General Commercial, Highway Commercial, Residential-Light Industrial-Commercial, or Industrial Commercial or any Commercial Zoning Districts, provided that it processes according to the following requirements:

A.B. Mass Event, Major Application

1. Approval of all Major Mass Events shall require the submission of an application at least 180 days prior to the event, and Public Hearing before the Board of Zoning Appeals, in accordance with the following criteria:
 2. Applications for events with less than 5,000 attendees will be processed administratively, unless the proposed parcel is on a shared access. If the proposed parcel is on a shared access, the application shall be considered by the Board of Zoning Appeals pursuant to a Public Hearing. The notification requirements in Section 3.4A.3.b shall apply. Applications for events with more than 5,000 attendees and any event requesting camping for participants and/or attendees will require a public hearing before the Board of Zoning Appeals in accordance with 3.e below.
- 1.3. All Mass Events, Major will be in accordance with the following criteria:

- a. Each Major Mass Event must be the subject of separate application and Public Hearing.
- b. 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.

~~b.c.~~ No Mass Event, Major may last more than seven days, including attendee arrival and departure dates. Only one Mass Event, Major may occur per year on any given parcel or a portion of any given parcel.

~~e.d.~~ Each Mass Event, Major application will be required to submit an application fee that shall be based on the projected number of attendees and whether participants may spend the night at the event; 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:

- ~~i.~~ 1,000 – 2,000 attendees ————— \$200 1,000 to 5,000 attendees ————— \$500
- ~~ii.~~ 2,000 – 5,000 attendees ————— \$300 Over 5,000 attendees and/or if camping by participants is proposed ————— \$1,000
- ~~i.~~ 5,000 – 10,000 attendees ————— \$400
- ~~ii.~~ Over 10,000 attendees ————— \$500

~~d.e.~~ Mass Events, Major with a projected number of attendees over 5,000 shall require a Public Hearing before the Board of Zoning Appeals at least 180 days in advance of the planned event. The notification requirements in Section 3.4A.3.b shall apply. Staff will notify adjacent and confronting property owners by certified mail, the date, time, and location of the Public Hearing and will include a copy of the application in the mailing. The applicant shall be responsible for reimbursing all costs associated with the certified mailing. In addition, the applicant must send written notice and a copy of the application to adjoining property owners via certified mail.

~~f.~~ All Mass Events, Major must be Insured and Bonded. The amount and type of insurance and bonding requires approval of the County Commission on a case by case basis and shall be posted 60 days in advance of an event. The County Commission shall be listed as additionally insured on any insurance policy. Documentation of liability insurance shall be submitted with the Zoning Certificate application. 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.

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:

- i. 1,000 – 2,000 attendees/day \$2,000/day
- ii. 2,000 – 5,000 attendees/day \$5,000/day
- iii. 5,000 – 10,000 attendees/day \$10,000/day

- iv. Over 10,000 attendees/day \$1520,000/day

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 to 2,000 attendees/day \$1,000,000
 ii. Over 2,000 attendees/day \$2,000,000

~~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.~~

g. The following supplemental site preparedness information shall be addressed and shall accompany the Zoning Certificate application. All Mass Events, Major must contract with the following agencies:

- i. Jefferson County Sheriff's Department
 ii. WV Licensed EMS Medical Provider
 ➤ JCESA Board shall verify in writing that a WV Licensed EMS Provider is adequately equipped and prepared for the event, which shall be reported to the County Commission.
 iii. Licensed Garbage Removal Company
 iv. Licensed Towing Company

e.h. All Mass Events must consult with the following agencies:

- i. County Health Department (approval or permit required)
 ii. WV Division of Highways (approval or permit required)
 iii. County Homeland Security

~~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.~~

~~f. 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.~~

~~g.i. If the Mass Event, Major application is approved by the Board of Zoning Appeals, in addition to all other permits and agreements required, the applicant shall must also submit a Zoning Certificate application Concept Plan in accordance with the requirements found below, which shall be administratively reviewed and approved.~~

~~2. 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.~~

C. Zoning Certificate Application

- 1. ~~If approved by the Board of Zoning Appeals, in addition to all other permits and agreements required,~~ Upon approval of the Mass Event, Major Application, the applicant shall submit a Zoning Certificate Application and Concept Sketch Plan for administrative review and approval at least 60 days prior to the event date, The Sketch Plan shall be in accordance with Concept Plan guidelines as outlined in Section 24.116 and Appendix A,

- Section 1.2 of the Subdivision Regulations ~~Minor Site Plan Process, for administrative review and approval,~~ and in accordance with the requirements found below:
- a. The Concept Sketch Plan shall be to scale; on a 24"x36" sheet; showing appropriate areas for parking, performance areas (if applicable), 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; setbacks; 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 Zoning Certificate application and Concept Sketch Plan for completeness within 10 days of receipt. All applications must meet the requirements of all applicable laws, ordinances, and regulations. Any application that fails to meet the requirements of all applicable laws, ordinances, and regulations shall be rejected. There will be a 30 day period for staff to review and approve the Sketch Plan once the application is deemed complete. The Zoning Certificate shall be approved within 60 days if all requirements are met.
 3. The applicant must comply with standards in this Ordinance. 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 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.

~~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, Major shall meet the following site requirements and such requirements will be depicted on the Concept Sketch 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 feet from any structures on adjoining properties, unless written documentation from adjoining property owners granting permission to be closer is submitted; and
 - e. A setback of 250 feet from the property line is required for any alcohol, food, or other sales or concession.
 - f. Any variance from these requirements shall be referenced ~~included~~ in the Mass Event, Major Application and the applicant shall ~~process~~ submit a Variance

application which shall be presented to the Board of Zoning Appeals for their approval.

5. A Mass Event, Major is subject to the following conditions and restrictions and such notes shall be placed on the ~~Concept~~ Sketch Plan:
 - a. No outdoor amplified performances after ~~3 a.m. or before 10 a.m.~~ 1 a.m. or before 10 a.m. Sunday through Thursday; and not after 2 a.m. or before 10 a.m. on Friday and Saturday (amplified announcements are permitted).
 - b. No outdoor performance lighting after ~~3 a.m. or before 10 a.m.~~ 1 a.m. or before 10 a.m. Sunday through Thursday; and not after 2 a.m. or before 10 a.m. on Friday and Saturday.
 - c. All sale of alcohol shall be regulated by the West Virginia Alcohol Beverage Control (ABC) Administration.
 - d. No Mass Event, Major may last more than ~~four~~ seven days, including attendee arrival and departure dates. A day shall be defined as a 24 hour period from midnight to midnight. Only one Mass Event, Major may occur 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. The 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, Major Application which is presented to the Board of Zoning Appeals for their approval.
6. Proof of liability insurance, including a certificate listing Jefferson County as additionally insured, and bonding documents in the amount as determined by the County Commission based on the sliding scale above shall be submitted with the Zoning Certificate Application.

~~A 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.~~

APPENDIX C: PRINCIPAL PERMITTED USES TABLE²³

Land Use	NC	GC	HC	LI	MI	PND ¹	OC	R	RG	RLIC	IC	V	Additional Standards
Residential Uses													
Dwelling, Single Family	P	NP	NP	NP	NP	P	NP	P	P	P	NP	P	
Dwelling, Single Family, Small Lot	P	NP	NP	NP	NP	P	NP	NP	P	P	NP	NP	
Dwelling, Two Family	NP	NP	NP	NP	NP	P	NP	P	P	P	NP	P	
Dwelling, Duplex	NP	NP	NP	NP	NP	P	NP	NP	P	P	NP	P	
Dwelling, Townhouse	NP	NP	NP	NP	NP	P	P	NP	P	P	NP	NP	
Dwelling, Multi-Family	NP	NP	NP	NP	NP	P	P	NP	P	P	NP	NP	
Day Care Center, Small	P	NP	NP	NP	NP	P	NP	P	P	P	P	P	
Mobile Home	NP	NP	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	
Mobile Home Park	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	
Model Homes/Sales Office	P	PC	NP	NP	NP	P	NP	P	P	P	NP	NP	Sec. 8.10
Home Uses													
Home Occupation, Level 1	P	NP	NP	NP	NP	P	P	P	P	P	P	P	Art. 4A
Home Occupation, Level 2	P	NP	NP	NP	NP	P	P	P	P	P	P	P	Art. 4A
Cottage Industry	P	NP	NP	NP	NP	P	NP	P	P	P	P	P	Art. 4A
Institutional Uses													
Airport	NP	NP	NP	P	P	NP	NP	NP	NP	NP	PC	NP	
Church	P	P	P	P	PC	P	P	P	P	P	NP	P	
Convention Center	NP	P	P	P	PC	P	P	NP	NP	P	PC	NP	
Cultural Facility ²⁹	P	P	P	P	PC	P	P	P	P	P	P	P	
Day Care Center, Large	P	P	P	P	PC	P	P	NP	P	P	P	PC	
Electric Vehicle Charging Station	P	P	P	P	P	P	P	NP	NP	P	P	PC	
Elementary or Secondary School	P	P	PC	PC	NP	P	P	P	P	P	NP	NP	
Essential Utility Equipment	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 4.7
Group Residential Facility	P	P	P	NP	NP	P	PC	P	P	P	NP	P	
Group Residential Home	P	P	P	NP	NP	P	PC	P	P	P	NP	P	
Heliport	NP	PC	PC	P	P	PC	PC	NP	NP	PC	PC	NP	
Hospital	NP	P	P	P	PC	P	P	P	P	P	NP	NP	
Mass Event, Major	<u>NP</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>NP</u>	<u>P</u>	<u>P</u>	<u>NP</u>	Sec. 8.16
Mass Event, Minor	<u>P</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>P</u>	<u>P</u>	<u>P</u>	Sec. 8.16
Nursing or Retirement Home	PC	P	P	P	NP	P	P	NP	P	P	NP	NP	
Park	P	P	P	P	NP	P	P	P	P	P	NP	P	
Performing Arts Theater	P	P	P	P	P	P	P	NP	NP	P	P	PC	
Preschool	P	P	PC	PC	PC	P	P	P	P	P	NP	NP	
Public Safety Facility	P	P	P	P	P	P	P	P	P	P	P	P	
Publicly Owned Facility	P	P	P	P	P	P	P	P	P	P	P	PC	
Industrial													
Recycling Drop-Off Center	PC	P	P	P	P	P	P	NP	NP	P	P	NP	
Residential Care Home	P	P	P	NP	NP	P	PC	P	P	P	NP	P	
School, College or University	NP	P	P	P	NP	P	P	NP	NP	P	NP	NP	
School, Vocational or Professional	NP	P	P	P	NP	P	P	NP	NP	P	P	NP	
Vocational and Training Facility for Adults	P	P	P	P	P	P	P	P	P	P	NP	NP	

- | | | | |
|--------------|--|------|--|
| NC | Neighborhood Commercial | OC | Office / Commercial Mixed-Use |
| GC | General Commercial | R | Rural |
| HC | Highway Commercial | RG | Residential Growth District |
| LI | Light Industrial | RLIC | Residential-Light Industrial-Commercial District |
| MI | Major Industrial | IC | Industrial-Commercial District |
| PND | Planned Neighborhood Development | V | Village District |
| P | Permitted Use | | |
| NP | Not Permitted Use | | |
| PC | Use Permitted Conditionally (subject to requirements of district and/or other requirements of this Ordinance) | | |
| * | Limited Permitted or Conditional Permitted Uses listed in Permitted Uses Table | | |
| ** | Accessory Use to a planned residential community, if permitted pursuant to Section 5.4. | | |
| ¹ | The Planning Commission may amend the permitted uses for a development in the PND District per Article 5 of this Ordinance | | |
| ² | Approval process is per the Salvage Yard Ordinance. | | |

12-8-15 NOTE: Red lettering reflects amendments recommended by the Citizen's Committee and staff that were the subject of the PC public hearing. Edits made by the PC for the 11-10-15 PC meeting have also been changed to red. Areas highlighted in yellow are additional edits proposed by the PC at the 11-10-15 meeting for discussion at the 12-8-15 meeting. If the PC recommends these revisions, all highlighted changes will be changed to red edits after the 12-8-15 meeting.

**Proposed Amendment (STA15-04) to
Subdivision and Land Development Regulations
(Effective January 1, 2014)**

C

Campground.

An area or premises ~~in single ownership~~ located on a single lot operated as a commercial enterprise, generally providing space in the form of campsite pads for seasonal accommodations for transient occupancy or use by tourists occupying camping units such as trailers, self-propelled campers, tents, cabins and/or lodges. A campground shall be designed for seasonal occupancy, as opposed to permanent year-round occupancy, and shall not be construed to mean a Mobile Home Park (as defined in this Ordinance). All campgrounds shall comply with the defined uses and regulations in Section 8.16 of the Zoning Ordinance and relevant sections of these Regulations.

Campsite Pad.

Any plot of land within a campground intended for the exclusive occupancy by a camping unit or units under the control of a camper.

Division 7.0 Mobile/Manufactured Home Parks ~~& Campgrounds~~

Section 7.1 Minimum Requirements and Standards

- A. The requirements and standards of Division 7.0 are minimal and are not intended to discourage the use of higher standards by developers who wish to achieve more desirable results. The Planning Commission may specify additional requirements where, owing to unique or unusual characteristics, the purposes of these Regulations can be better served.
- B. Mobile/Manufactured home parks ~~and campgrounds~~ are subdivisions with special requirements of their own. The provisions of Division 7.0 are in addition to the requirements for subdivisions found in Appendix A and Appendix B. In the event of a conflict between a requirement of the Appendices and Division 7.0, then the requirement of Division 7.0 shall apply.

Division 8.0 Campgrounds

Section 8.1 Minimum Requirements and Standards

- A. The requirements and standards of Division 8.0 are minimal and are not intended to discourage the use of higher standards by developers who wish to achieve more desirable results. The Planning Commission may specify additional requirements where, owing to unique or unusual characteristics, the purposes of these Regulations can be better served.
- B. Campgrounds are developments with special requirements of their own. The different types of campgrounds are defined in the Jefferson County Zoning and Land Development Ordinance. All campgrounds shall process as a ~~Minor~~ Site Plan with a Concept Plan. The Site Plan shall reflect the provisions of the Supplemental Use Regulations of the Zoning and

Land Development Ordinance ; Division 8.0 are in addition to the requirements for subdivisions found in the requirements of Appendix A of the Subdivision Regulations, and the requirements of this Division as follows: Appendix B. In the event of a conflict between a requirement of the Appendices and Division 8.0, then the requirement of Division 8.0 shall apply.

Section ~~8.27.3~~ Campground Requirements

- A. The following provisions supplement the provisions of the Jefferson County Zoning Ordinance.

Campground facilities benefit from flexible design criteria that allow them to preserve and integrate natural features into the site design. All campground facilities should be designed in a manner that complies with State and County Regulations, and meets the minimum requirements of NFPA 1194 standards.

If any of these provisions or standards conflict with those contained in the Zoning Ordinance, the provisions contained within this section shall apply. West Virginia State Regulations pertaining to Campgrounds apply to all camping facilities in Jefferson County.

B. Dimensional Requirements

1. Campgrounds shall be located and shall meet the setback requirements in Section 8.17 of the Zoning Ordinance.

2. The area of each campsite shall be a minimum of ~~1,500~~ 1,200 square feet not to include road ~~rights-of-way~~ easement.

3. Each campsite shall have a minimum road frontage (width) of 20 feet along a platted road ~~right-of-way~~ easements.

4. Each campsite shall provide an adequate ~~stand~~ pad for the placement of a camping unit. A campsite ~~stand~~ pad shall be at least 15 feet by 25 feet in size, ~~and~~ shall be flat, shall not exceed a 3 percent slope in any direction, and shall be separated from all other campsite pads by 20 feet.

~~No more than one camping unit shall be placed on or above a campsite.~~

- ~~D. A campsite may contain any combination of water, sewerage or electrical connections. If not provided at campsites, water and sewerage facilities must be provided at convenient comfort stations as determined by the Planning Commission.~~

~~C.E.~~ Road and Access Requirements

1. Campground roads that serve less than 300 vehicle trips per day shall meet the following standards:

a. Existing roads may be used to access campsites without meeting road standards.

b. May have asphalt or gravel surface.

c. 12 foot width with 3 foot pull-off areas that allow larger vehicles to pass.

d. Maximum slope 15%

e. Road section to be determined by a geotechnical engineer hired by the applicant. Alternatively the applicant may choose to use standard Jefferson County sections.

f. No ditches are required, all drainage from campground roads must be managed to prevent erosion.

2. Campground roads that serve more than 300 vehicle trips per day;

a. May have asphalt or gravel surface

Comment [JB1]: Should we reference the stormwater regs?

- b. 15 foot minimum width.
- c. Maximum slope 15%
- d. Paving section to be determined by a geotechnical engineer hired by the applicant. Alternatively the applicant may choose to use standard Jefferson County sections.
- e. No ditches are required, all drainage from campground roads must be managed to prevent erosion.

~~Main entrance and primary looping roads as determined by the County Engineer within a campground, shall be minimum 22 feet wide asphalt paved with shoulders and ditch lines, the same as the asphalt roadway requirements of Appendix B, Section 2.2.C.2.b, Residential Subdivision with more than 12 lots.~~

Comment [JB2]: Should we reference the stormwater regs?

~~F. Roads within a campground that are not main entrance or primary looping roads as determined by the County Engineer shall be a minimum of 20 feet wide gravel with shoulders and ditch lines are required, the same as the gravel roadway requirements of Appendix B, Section 2.2.C.2.a, Residential Subdivision with a maximum of 12 lots.~~

D. Parking Requirements

- 1. ~~Campsites accessed by vehicles shall provide one level parking area at each site.~~
- 2. ~~If parking is not provided at the camp site, 1.5 spaces per camp site shall be provided in a common parking area.~~
- 3. ~~Public parking shall be provided at the campground office or facilities open to the public in sufficient quantity to serve the users.~~
- 4. ~~Convenient off-street parking shall be provided at the rate of 1 space at each campsite; plus 3 additional spaces for each 50 campsites to be located at or near the campground office. In the public parking area, each Each-Parking spaces shall have a minimum dimension of 9 feet by 20 feet. As a minimum, designated parking areas shall be surfaced according to the surfacing requirements for gravel roads. Designated parking areas may not be used for overnight camping or occupancy.~~

Comment [JB3]: Items 1-3 were moved to Zoning where parking requirements is typically required

E.H. Sanitation

- 1. Sanitation facilities shall be provided as required by Jefferson County Health Department and WV State Regulations.
- 2. A campsite may contain any combination of water, sewerage or electrical connections; or trash collection. If not provided at campsites, water and toilet sewerage facilities and sanitary covered trash receptacles must be provided at convenient comfort stations within 250' of all campsites located within developed or semi-developed campgrounds.
Campsites located within Primitive or Semi-Primitive Campgrounds may have more primitive facilities in accordance with the Zoning Ordinance and per Health Department Regulations. At least one covered trash receptacle shall be provided at the entrance to Semi-Primitive Campgrounds

~~Each campsite shall be provided with a sanitary, covered garbage can.~~

- 3. I. A campground All developed or semi-developed campgrounds shall provide at least one sanitary sewerage dump station for every forty (40) or fraction thereof trailer or recreational vehicle hookups, one water refill station and one solid waste disposal collection facility which may be located in a convenient location, generally the exit of the campground.
- 4. J. As a minimum, design capacities for centralized water and sewerage systems

Comment [JB4]: Note that this is in our current regulations – public comment suggested this should be 100

shall be based on the total number of campsites proposed ~~plus 25 percent again to accommodate the tent area (if any), plus capacity to accommodate any public buildings~~ an allowance for a sewerage dump station and a water refill station.

- ~~K. All power lines shall be placed underground in a campground. Overhead power lines may be permitted by the Planning Commission where such lines can be effectively screened from view by trees.~~
- ~~L. Road rights of way in a campground shall be a minimum of 50 feet in width.~~
- ~~M. One way roads shall be at least 12 feet in width with 3 foot wide gravel shoulders. Drainage ditch lines 1 1/2 feet deep shall be provided at a 4:1 slope from the edge of the shoulder, with a 2:1 return slope back to existing grade.~~
- F. Fire Pits (if provided) for campsites must be shown on the site plan. A detail of the fire pit must also be provided.
- G. Camping associated with short term, temporary uses, lasting 7 days or less and approved by the appropriate Jefferson County Board of Zoning Appeals board or agency in conjunction with another application, shall not be considered approved campgrounds and are not subject to these regulations.

Division 11.0 8.0 – Non-Residential Subdivisions

Section 11.1 8.1 General

Non-residential subdivisions shall be subject to all requirements of the Subdivision Regulations except for those requirements which are specifically intended for residences (e.g. Land for Parks and Schools) as determined by staff.

12-8-15 NOTE: Red lettering reflects amendments recommended by the Citizen's Committee and staff that were the subject of the PC public hearing. Edits made by the PC for the 11-10-15 PC meeting have also been changed to red. Areas highlighted in yellow are additional edits proposed by the PC at the 11-10-15 meeting for discussion at the 12-8-15 meeting. Questions for PC discussion are in comment notes to the side or highlighted in green. If the PC recommends these revisions, all highlighted changes will be changed to red edits after the 12-8-15 meeting.

**Proposed Amendments (ZTA 15-02) to
Jefferson County Zoning and Land Development Ordinance
Amendments adopted by the County Commission, June 1, 2014**

ARTICLE 2: DEFINITIONS

Section 2.2 Terms Defined

<u>Cabin</u>	<u>A temporary or permanent structure for the purposes expressly permitted in Article 8 of the Zoning Ordinance and Division 8 of the Subdivision Regulations. Cabins are intended for temporary occupancy, not permanent residency; and shall not sleep more than 8 people per cabin. Cabins shall not be sold separately from the parent parcel without further processing under the appropriate land use ordinances in effect at that time. This structure shall at least provide a sleeping and bathroom area with appropriate campground health department approval for water and wastewater services and may provide an indoor kitchen/cooking area. A permanent sStructures shall be built to current applicable Jefferson County Building code with the issuance of a Building Permit. A cabin permitted under the Campground articles of the Jefferson County Ordinances, shall not need to be located on a separate parcel and multiple cabins can be located on the same parcel as the parent parcel.</u>
<u>Camping Cabin</u>	<u>A temporary or permanent structure for the purposes expressly permitted in Article 8 of the Zoning Ordinance and Division 8 of the Subdivision Regulations. A cabin which provides a sleeping area only, requires separate outdoor meal preparation and the use of a common bathroom. Such cabin may include heating and/or air conditioning. Structures shall be built to current applicable Jefferson County Building code with the issuance of a Building Permit.</u>
Campground ²⁷	An area or premises <u>located on a single lot</u> operated as a commercial enterprise, generally providing space <u>in the form of campsite pads</u> for seasonal accommodations for transient occupancy or use by <u>customers</u> tourists occupying camping <u>units such as</u> trailers, self-propelled campers, tents, cabins and/or lodges . A campground shall be designed for seasonal occupancy, as opposed to permanent year-round occupancy, and shall not be construed to mean a Mobile Home Park (as defined in this Ordinance). <u>All campgrounds shall comply with the defined uses and regulations in Section 8.17 of this</u>

	<u>Ordinance and relevant sections of the Subdivision Regulations.</u>
<u>Campground, Developed</u>	<u>A campground including sites for camping units recreational vehicles, trailers, or self-propelled campers accessible by vehicular traffic, where sites are substantially developed and refuse disposal systems, flush toilets, bathing facilities, and water are provided.</u>
<u>Campground, Primitive</u>	<u>A campground that is not accessible to vehicles and no facilities are provided for the comfort or convenience of campers.</u>
<u>Campground, Semi-Developed</u>	<u>A campground with campsites two or more recreational vehicle or recreational park trailer unit sites accessible by vehicular traffic. Roads and limited amenities facilities (toilets and/or privies) are provided.</u>
<u>Campground, Semi-Primitive</u>	<u>A campground, accessible only by walk-in, equestrian, or motorized trail vehicles where rudimentary amenities facilities (outhouses and/or fireplaces) may be provided for the comfort and convenience of the campers.</u>
<u>Camping Units</u>	<u>Individual units designed for temporary occupancy within an approved campground such trailers, self-propelled campers, recreational vehicles, tents, cabins, camping cabins, fifth wheels, pop-up campers, and/or lodges</u>
<u>Campsite or Campsite Pad</u>	<u>Any plot of land within a campground intended for the exclusive occupancy by a camping unit or units under the control of a camper.</u>
<u>Caretaker Residence</u>	<u>A permanent or temporary residential structure that is secondary or accessory to the primary use of the property for the use of a caretaker or security guard.</u>
<u>RV Park</u>	<u>A recreational vehicle park (RV park) is a campground where privately owned recreational vehicles can stay overnight, or longer, in allotted spaces known as "sites".</u>

ARTICLE 8: SUPPLEMENTAL USE REGULATIONS²³

Section 8.176 Campgrounds

Campground facilities provide tourism related accommodations for visitors to Jefferson County. The level of amenities at these facilities can vary greatly in relation to the type of camping facility proposed. Campground facilities may include both commercial and non-profit operations. The zones in which Campgrounds are permitted are found in Appendix C, in the General Commercial (GC), Residential Light Industrial-Commercial (RLIC), Industrial Commercial (IC) and/or Rural (R) zoning districts.

A. General Standards for All Campgrounds: The following uses are identified as Permitted Uses within a campground:

1. Campgrounds shall be located on properties with a minimum of 10 acres.
2. No more than 15 campsites per acre are permitted, which shall be averaged over the total acreage of the campground, after providing for the setbacks noted in subsection D.

below

3. Individual sites for camping units as defined in the Zoning Ordinance Campsites, cabins, campers and recreational vehicles sites, which shall not be divided into individual lots for sale.
4. Campground residency shall be temporary, limited to a 180 days per calendar year.
5. One caretaker residence as defined in the Zoning Ordinance shall be permitted for each campground. A campground shall not be used as a primary residence on either a temporary or permanent basis, except as provided for a caretaker residence.
4. Accessory Uses to Campground amenities shall be clearly incidental to the use as the campground and may include shelters, pavilions, gathering halls, bathhouses, pools, recreational areas, trails, fire pits, and other uses related to the campground. Uses such as retail stores, food service for the needs of the campers, and limited size amphitheaters shall only be permitted in developed campgrounds and shall be limited to the commercial zoning categories which permit developed campgrounds.
6. All campgrounds shall have direct access from WV State roads.
7. Camp sites may be located within floodplain areas, provided all regulations applying to permanent structures are followed. Campgrounds, campsites, and amenities shall comply with the Jefferson County Floodplain Ordinance.
8. Campgrounds may be served by well and drain fields in accordance with Jefferson County Health Department regulations.
9. Campground amenities detailed in Subsection C below may be rented out to the general public without the rental of a campsite; however the primary use of the amenity must be for the use and enjoyment of campers.
10. Any campground wishing to host an event or activity at the campground shall process a Zoning Certificate application prior to commencement. Should the Zoning Administrator determine the proposed use meets the definition of a Mass Event, or any other land use defined in this Ordinance, the Zoning Certificate application shall not be issued unless the applicant has processed the use as required by the Zoning Ordinance. Festivals/mass gatherings shall not be a by-right accessory use to Campgrounds. Note that if a campground hosts an event or activity that meets the definition of "Mass Event", "Seasonal Use" or falls under another provision within the Zoning Ordinance, the campground would have to process as a "Mass Event", "Seasonal Use" or other requirements of the Zoning Ordinance.

B. Parking Requirements for all Campgrounds

1. All campsites accessed by vehicles, in Developed and Semi-Developed Campgrounds shall provide one flat level parking area at each site.
2. If parking is not provided at individual the campsites, 1.5 spaces per campsite shall be provided in a common parking area. This standard may be modified at the Concept Plan stage for Primitive and Semi-Primitive Campgrounds that can document how access is provided to their campsites.
3. Public parking shall be provided at the campground office or facilities open to the public in sufficient quantity to serve the users. Article 11 Parking Requirements shall be utilized for any uses open to the public.

Comment [JB1]: Note that this addition significantly reduces the number of campsites that can be developed on a site.

Comment [JB2]: 1-3 moved here from Sub Regs as parking standards are generally found in the Zoning Ordinance; design standard is still in sub regs

Comment [JB3]: In #2 above, the change to 1.5 spaces per campsite implies that the common parking area should be at least 0.5 spaces per site – should this be put here or is that excessive?

C. Development Guidelines by Campground Type

1. Developed Campgrounds

A campground including sites for all types of camping units including cabins and camping cabins, recreational vehicles, trailers, self-propelled campers and/or tents accessible by vehicular traffic, where sites are substantially developed and full amenities are provided.

a. Setbacks or Buffers:

- i. No campsite or amenity shall be located less than 200 feet from an existing property line for a property occupied by a residence or a rural property less than 10 acres. No campsite or amenity shall be located less than 100 feet from a rural property greater than 10 acres or commercial or industrial property. No tent campsites may be located closer than 100 feet from an existing property line. All camp sites shall be located a minimum of 200' from existing property lines and shall be visually screened.
- ii. When campsites or amenities are within 500' of a property line, the perimeter of all campgrounds must be defined by fencing, posting, natural barriers or other methods to prevent unintentional trespass.
- iii. All campsites and amenities shall be screened by a 10 foot vegetative buffer; provided that if the campground abuts the river, no vegetative screen is required in this area. A 10 foot buffer of natural vegetation (evergreen or hardwood) may be administratively approved in place of a planted buffer.
- iv. Campsites within 100' of the Potomac or Shenandoah River shall be limited to tent camping or recreational vehicles which do not require power or water hookups.
- v. Section 4.13 does not apply to campgrounds, which may be located within 500' of the Potomac and Shenandoah Rivers.

b. Amenities:

Campground amenities shall be clearly incidental to the use as the developed campground and may include shelters, pavilions, gathering halls, bathhouses, pools, recreational areas, trails; fire pits, and other uses related to the campground. Uses such as retail stores, food service for the needs of the campers, and limited size amphitheaters shall only be permitted in developed campgrounds and shall be limited to the commercial zoning categories which permit developed campgrounds.

2. Semi-Developed Campgrounds

A campground for camping units such as tents, camping cabins and/or recreational vehicle sites accessible by vehicular traffic. Roads and limited amenities are provided.

a. Setbacks or Buffers:

- i. No campsite or amenity shall be located less than 200 feet from an existing property line for a property occupied by a residence or a rural property less than 10 acres. No campsite or amenity shall be located less than 100 feet from a rural property greater than 10 acres or commercial or industrial property. No tent campsites may be located closer than 100 feet from an

Comment [JB4]: Note that this setback is greater than required between other commercial uses in commercial zones.

Comment [JB5]: Note if no campsite can be within 200 feet of a property line, they will not be within 200 feet of the rivers (applies to all types of campgrounds).

Also note that the entire Moulton Park (the County's campsites on the Shenandoah is approximately 85 feet deep along the river (all within 100 feet).

existing property line. All camp sites shall be located a minimum of 200' from existing property lines and shall be visually screened.

- ii. When campsites or amenities are within 300 feet 500' of a property line, the perimeter of all campgrounds must be defined by fencing, posting, natural barriers or other methods to prevent unintentional trespass.
- iii. All campsites and amenities shall be screened by a 10 foot vegetative buffer; provided that if the campground abuts the river, no vegetative screen is required in this area. A 10 foot buffer of natural vegetation (evergreen or hardwood) may be administratively approved in place of a planted buffer.
- iv. Campsites within 100' of the Potomac or Shenandoah River shall be limited to tent camping or recreational vehicles which do not require power or water hookups.
- v. Section 4.13 does not apply to campgrounds, which may be located within 500' of the Potomac and Shenandoah Rivers.

b. Amenities:

Campground amenities shall be clearly incidental to the use as the semi-developed campground and may include shelters, pavilions, pools, recreational areas, trails, fire pits, common bathrooms with flush toilets, running water, and/or showers, and other uses related to the semi-developed campground. If the campground proposes to permit RVs, a dump stations shall be provided. Uses such as retail camp stores with supplies for the campers shall be permitted in semi-developed campgrounds. ~~and shall be limited to the commercial zoning categories which permit developed campgrounds.~~

3. Semi-Primitive Campgrounds

A campground for camping units such which do not require water or power hook up, accessible only by walk-in, equestrian, or motorized trail vehicles where rudimentary amenities described below may be provided for the comfort and convenience of the campers.

a. Setbacks or Buffers:

- i. No campsite or amenity shall be located less than 200 feet from an existing property line for a property occupied by a residence or less than 100 feet from a rural property greater than 10 acres or commercial or industrial property. ~~All camp sites shall be located a minimum of 200' from existing property lines and shall be visually screened.~~
- ii. When semi-primitive campsites or amenities are within 300 feet 500' of a property line, the perimeter of all campgrounds must be defined by fencing, posting, natural barriers or other methods to prevent unintentional trespass.
- iii. All campsites and amenities shall be screened by a 10 foot vegetative buffer; provided that if the campground abuts the river, no vegetative screen is required in this area. A 10 foot buffer of natural vegetation (evergreen or hardwood) may be administratively approved in place of a planted buffer.
- iv. Campsites within 100' of the Potomac or Shenandoah River shall be limited to tent camping.
- v. Section 4.13 does not apply to campgrounds, which may be located within 500' of the Potomac and Shenandoah Rivers.

b. Amenities:

Campground amenities shall be clearly incidental to the use as the campground and may include shelters, trail, fire pits, outhouses/port-a-pots, common water spigot, trash containers, and other uses related to the semi-primitive campground. Small camp stores with camping supplies only may be permitted in semi-primitive campgrounds.

4. Primitive Campgrounds

A campground limited to camping units such as tents that is not accessible to vehicles and no facilities are provided for the comfort or convenience of campers.

a. Setbacks or Buffers:

- i. No campsite or amenity shall be located less than 100 feet from an existing property line. ~~All camp sites shall be located a minimum of 200' from existing property lines and shall be visually screened.~~
- ii. When primitive campsites or amenities are within 300 feet ~~500'~~ of a property line, the perimeter of all campgrounds must be defined by fencing, posting, natural barriers or other methods to prevent unintentional trespass.
- iii. All campsites and amenities shall be screened by a 10 foot vegetative buffer; provided that if the campground abuts the river, no vegetative screen is required in this area. A 10 foot buffer of natural vegetation (evergreen or hardwood) may be administratively approved in place of a planted buffer.
- iv. Campsites within 100' of the Potomac or Shenandoah River shall be limited to tent camping.
- v. Section 4.13 does not apply to primitive campgrounds, which may be located within 500' of the Potomac and Shenandoah Rivers.

b. Amenities:

Campground amenities shall be clearly incidental to the use as the campground and may include primitive shelters, trails, fire pits, and other uses related to a primitive campground.

D. Regulatory Approval of all Campgrounds:

1. Campground uses must submit a Concept Plan in accordance with the Jefferson County Subdivision Regulations and be approved by the Planning Commission pursuant to a public hearing.
2. Upon approval of the Concept Plan, a site plan must be processed in accordance with Jefferson County Subdivision Regulations.
3. All state regulations pertaining to the operation and licensing of a campground must be followed.

Comment [JB6]: Note if no campsite can be within 100 feet of a property line, they will not be within 100 feet of the rivers.

Also note that the entire Moulton Park (the County's campsites on the Shenandoah is approximately 85 feet deep along the river (all within 100 feet).

APPENDIX C: PRINCIPAL PERMITTED USES TABLE^{23, 27}

Land Use	NC	GC	HC	LI	MI	PND ¹	OC	R	RG	RLIC	IC	V	Additional Standards
Commercial Uses Continued													Sec. 8.9
Bail Bond Services	NP	P	P	P	PC	NP	NP	NP	NP	PC	P	NP	
Bank	P	P	P	P	PC	P	P	NP	NP	P	P	PC	
Bank with Drive-Through Facility	PC	P	P	P	PC	P	P	NP	NP	P	P	NP	
Bar	P	P	P	P	NP	P	P	NP	NP	P	P	NP	
Barber/Beauty Shop, Limited	P	P	P	P	NP	P	P	NP	NP	P	P	PC	
Bed and Breakfast	P	NP	NP	NP	NP	NP	NP	P	NP	NP	NP	PC	Sec. 8.3
Business Equipment Sales and Service	PC	P	P	P	PC	P	P	NP	NP	P	P	NP	
Building Maintenance Services	PC	P	P	P	P	P	P	NP	NP	P	P	NP	
Building Materials and Supplies	NP	P	P	P	P	P	NP	NP	NP	P	P	NP	
Campground, <u>Developed</u>	<u>PC</u> <u>NP</u>	P	NP	NP	NP	<u>P</u> <u>NP</u>	NP	NP	NP	P	P	NP	<u>Sec. 8.16</u> <u>Sec. 8.17</u>
Campground, <u>Primitive</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>Sec. 8.16</u> <u>Sec. 8.17</u>
Campground, <u>Semi-Developed</u>	<u>NP</u>	<u>P</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u> <u>PC</u>	<u>NP</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>Sec. 8.16</u> <u>Sec. 8.17</u>
Campground, <u>Semi-Primitive</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>Sec. 8.16</u> <u>Sec. 8.17</u>
Car Wash	NP	P	P	P	PC	P	P	NP	NP	P	P	NP	
Commercial Blood Plasma Center	NP	P	P	P	NP	PC	PC	NP	NP	PC	P	NP	
Contractor with No Outdoor Storage	P	P	P	P	P	P	P	NP	NP	P	P	NP	
Contractor with Outdoor Storage	NP	P	P	P	P	P	NP	NP	NP	P	P	NP	
Convenience Store, Limited	P	P	P	P	PC	P	P	NP	NP	P	P	PC	
Convenience Store	PC	P	P	P	PC	P	NP	NP	NP	PC	P	NP	Sec. 5.8C (RLIC only)
Country Inn	P	P	P	P	NP	P	P	NP	NP	P	P	PC	
Custom Manufacturing	P	P	P	P	P	P	P	NP	NP	P	P	PC	
Dry cleaning and Laundry Services	P	P	P	P	PC	P	P	NP	NP	P	P	PC	
Dry cleaning and Laundry Facility	NP	P	P	P	P	P	P	NP	NP	P	P	NP	
Equipment Rental, Sales, or Service	NP	P	P	P	P	P	NP	NP	NP	P	P	NP	
Exterminating Services	NP	P	P	P	P	P	P	NP	NP	P	P	NP	
Florist	P	P	P	P	PC	P	P	NP	NP	P	P	PC	
Food Preparation	P	P	P	P	PC	P	P	NP	NP	P	P	NP	
Hotel/Motel	NP	P	P	P	NP	P	P	NP	NP	P	P	NP	
Gambling Facilities	NP	NP	NP	NP	PC	NP	NP	NP	NP	NP	PC	NP	Sec. 4.4G
Gas Station, Limited	P	P	P	P	PC	P	P	NP	NP	P	P	NP	
Gas Station	NP	P	P	P	PC	P	P	NP	NP	P	P	NP	
Gas Station, Large	NP	PC	P	P	PC	PC	PC	NP	NP	P	P	NP	
Golf Course	NP	P	P	P	NP	P	P	NP	NP	P	P	NP	
Grocery Store	P	P	P	P	PC	P	NP	NP	NP	P	P	NP	
Horse Racing Facility	NP	NP	NP	P	NP	NP	NP	NP	NP	P	P	NP	
Kennel	NP	P	P	P	PC	P	P	P	NP	P	P	NP	Sec. 8.4
Medical/Dental/Optical Office, Small	P	P	P	P	PC	P	P	NP	NP	P	P	P	
Medical/Dental/Optical Office	NP	P	P	P	PC	P	P	NP	NP	P	P	NP	

Revised Draft for 12-08-15 PC Meeting for review and recommendation

APPENDIX C: PRINCIPAL PERMITTED USES TABLE^{23, 27}

Mobile Home, Boat and Trailer Sales	NP	P	P	P	PC	P	NP	NP	NP	PC	P	NP	
Movie Theater	NP	P	P	P	NP	P	NP	NP	NP	P	P	NP	

Section 12.3 Procedure for Map Amendment by Petition²⁵

A. Map Amendments by Landowners

The procedure for processing a map amendment petition initiated by the owners of fifty percent or more of the real property to which the petition relates shall be as dictated in §8A-7-9 et seq of the West Virginia State Code, as amended.

The procedure for processing a map amendment petition to change the zoning map designation of a property to the Planned Neighborhood Development district shall also include the applicable requirements of Article 5.²⁷

Petitions for a map amendment initiated by landowners shall be submitted to the Planning Commission or the County Commission and shall contain the following information:

1. Substantiation for the request
2. Tax District, Map and Parcel number
3. Deed Book reference
4. Plat or sketch pursuant to Section 7.4B
5. Tract size
6. Discussion on:
 - a. Comprehensive Plan compatibility of the proposed change.
 - b. Any change of transportation characteristics and neighborhood from when the original ordinance was adopted.^{17, 21, 27}
7. A petition for a map amendment to change the zoning designation for a property to the Planned Neighborhood Development (PND) district shall include a Preliminary PND Plan for the subject property. The submittal review process for a Preliminary PND Plan is described in Article 5 of this Ordinance.²⁷

In accordance with §8A-7-9 et seq of the West Virginia State Code, the Planning Commission or the County Commission is required to set a public hearing on the proposed Zoning Map amendment within 60 days of the date upon which a complete petition is presented to the Planning Commission or to the County Commission at a Planning Commission or County Commission meeting, as relevant. If a public hearing is held by the Planning Commission, it shall be at the discretion of the County Commission whether an additional public hearing is required to be held by the County Commission.

If the petition is to be presented to the Planning Commission, a complete petition, and related fees, shall be submitted to the office of the Departments of Planning and Zoning for placement on a Planning Commission agenda at least two (2) weeks prior to the meeting date at which the petition will be presented for the purpose of setting the public hearing date within 60 days of the date the petition is presented. Upon request, the Departments of Planning and Zoning staff can

present the petition to the Planning Commission on behalf of the applicant for the purpose of setting the public hearing date.

If the petition is to be presented to the County Commission, a complete petition and complete agenda request form shall be submitted to the office of the County Commission for placement on the County Commission agenda no later than noon on the Thursday prior to the requested meeting date. One copy of the petition along with relevant fees shall be submitted to the office of the Departments of Planning and Zoning prior to appearing at the County Commission to present the petition. Before amending the Zoning Ordinance map, the County Commission, with the advice of the Planning Commission, must find that the amendment is consistent with the adopted Comprehensive Plan, or if it is inconsistent, must make findings in accordance with the requirements of §8A-7-8 et seq of the West Virginia State Code, as amended. To this end, the County Commission shall refer the petition to the Planning Commission for their review and recommendation as to whether the amendment is consistent with the adopted Comprehensive Plan. Such recommendation will be required to be sent to the County Commission prior to the County Commission's Public Hearing which shall be held within 60 days of the date the petition is presented.

~~One copy of the petition along with rthe County Commission~~ Notice of the Planning Commission's ~~or County Commission's~~ Public Hearing shall be in accordance with Section 12.2 of this Ordinance. ~~If heard by the Planning Commission, a~~At the conclusion of the Planning Commission's Public Hearing, or at the next regular Planning Commission meeting, the Planning Commission shall make a recommendation to the County Commission regarding whether the amendment is consistent with the adopted Comprehensive Plan, or if it is inconsistent, must make findings in accordance with the requirements of §8A-7-8 et seq of the West Virginia State Code, as amended approval or disapproval of the requested Map Amendment. This recommendation shall be forwarded ed to the County Commission within four weeks of the final Planning Commission action. The County Commission shall take action to schedule their own public hearing, if desired, or take action to approve or disapprove the requested Zoning Map amendment within the next two regularly scheduled County Commission meetings. If heard by the County Commission, at the conclusion of the County Commission's Public Hearing, or at the next regular County Commission meeting, the County Commission shall, with the advice of the Planning Commission, determine if the amendment is consistent with the adopted Comprehensive Plan, or if it is inconsistent, must make findings in accordance with the requirements of §8A-7-8 et seq of the West Virginia State Code, as amended. Upon making these findings, the County Commission shall approve or disapprove the petition.



Jefferson County, West Virginia

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MEMO

To: Jefferson County Planning Commission

From: Jennifer Brockman, AICP, Director, Planning and Zoning

Date: December 8, 2015

RE: Major/Minor Site Plan and Subdivision Text Amendment (PC File #STA15-05)

On October 13, 2015 the Planning Commission held a Public Hearing on the above referenced Subdivision Regulation amendment, during which there was no public comment. The Planning Commission voted to recommend the proposed text amendment to the County Commission for their consideration and final action. WV Code requires that, subsequent to the recommendation received from the Planning Commission, all Subdivision Regulation text amendments require a Public Hearing before the County Commission prior to a final determination.

The County Commission held their Public Hearing on November 19, 2015 and held public comment open until December 3, 2015. At both the November 19, 2015 and December 3, 2015 meeting, staff provided review and input to further clarify the proposed amendment (attached). The County Commission requested that the proposed edits be reviewed and recommended by the Planning Commission prior to their final action. This item will be placed on the December 17, 2105 County Commission agenda for final action.

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

Minor Site Developments are those proposals that do not require the development of new infrastructure or the extension of existing off-tract infrastructure.

If the development requires easements for drainage or other purposes, private roads, or parking, and access to public roads is involved that serve one or more land uses, it is a site development. Minor site development proposes one or more of the following:

Page 11

Subdivision Regulations

Jefferson County, West Virginia



(1) Building(s), both new and additions to existing, where all structures located on the parcel total less than 5,000 square feet gross floor area (GFA) on any site shall process administratively, ~~and~~

~~(2)~~ **(2)** Building(s), both new and additions to existing, where all new structures or additions to structures located on the parcel total more than 5,000 and less than ~~50,000~~ 250,000 square feet gross floor area (GFA) on any site shall:

- Process a concept plan with a public workshop and all remaining site plan review processes shall be administratively approved.
- In the event that any condition(s) placed upon a site plan during the concept plan public workshop that cannot be addressed or resolved administratively, such condition(s) placed upon the concept plan at the public workshop shall return to the Planning Commission for resolution.
- ~~Building(s), both new and additions to existing that exceed 50,000 square feet gross floor area at the time of this adoption, adopted 01/19/2012, shall be permitted a one-time expansion up to 25,000 square feet gross floor area with a concept plan public workshop.~~

~~(2)~~ **(3)** Building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater. Section 20.203 Sub-Section ~~(12)~~ does not apply to this provision;

~~(3)~~ **(4)** Apartment or multi-family development, ~~of nine or less dwelling units.~~

- If apartment or multi-family development project proposes 10 units or more, applicant shall process a concept plan with a public workshop and all remaining site plan review processes shall be administratively approved.
- In the event that any condition(s) placed upon a site plan during the concept plan public workshop that cannot be addressed or resolved administratively, such condition(s) placed upon the concept plan at the public workshop shall return to the Planning Commission for resolution.

Minor Site Development requires Stormwater Management Plans and stormwater management activities per the Jefferson County Stormwater Management Ordinance, as identified in A, B, C, and D within this Section.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this section; unless, development/redevelopment activity at the site triggers stormwater management policy as described in the Jefferson County Stormwater Management Ordinance.

A. **No Site Plan or Stormwater Management Plan Required.** No site plan is required for additions to existing structures or structures ancillary to existing uses on a property, when:

1. The footprint of the addition or the new structure is less than 250 square feet; and
2. No additional parking is required per Zoning Ordinance standards; and
3. The disturbed area is no more than 3000 square feet.

B. **Limited Site Plan and Stormwater Management Plan Addressing Quantity Only Required.**



Figure 24.105
Minor Site Plan Approval Process

Minor Site Plan Approval Process

Step Taken

Action Taken

Acting Authority

Site Plan Application

Step 1
Section 24.105A

Submission

Staff

Step 2
Section 24.105B

Application Meeting

Staff (performed in 7 days from submission)

Step 3
Section 24.105C

Site Inspection

Staff

Step 4
Section 24.105E

Determination

Staff (performed in 10 days from submission)

Step 5
Section 24.105F

Approval

Staff

(For minor site plan criteria see the definition, Site Plan, Minor and Sec. 20.201, Minor Subdivisions.)



Sec. 24.105 Minor Site Plan Application – Determination

- A. General.** An applicant for a minor site plan, who does not schedule a pre-proposal conference, shall be subject to the procedures of this Section upon submittal of a copy of a site plan application and the corresponding fees to the Planning Commission. All minor site plans shall follow the site plan standards in Appendix A, *Plan & Plat Standards*. If a pre-proposal conference is held, a determination can be made by Staff as to whether a concept plan is required and the applicant may proceed to Section XXXXX.
- ~~**B. Application Meeting.** Within seven days after the submission of the site plan, the applicant and the staff shall meet to discuss the proposed site plan and the criteria used to classify the proposal as minor. The applicant may choose to waive this meeting but shall do so upon submission.~~
- ~~**B. Site Inspection.** The staff shall make a site inspection of the site plan.~~
- ~~**C. Determination.** Within ten days after the submission of the site plan, the staff shall notify the applicant in writing that the proposed site plan has or has not been classified a minor site development. If the Staff determines that the site plan has been classified as a minor site development and is over 5,000 square feet as described in Section 20.201 requires a Concept Plan in accordance with Section 20.203, then the project shall proceed with Section XXXX, Minor Site Plan Concept Plan. All other Minor Site Plans (under 5,000 sq. ft. and in Industrial/Business Park) shall proceed with Section XXXX (page 50D) Minor Site Plan Process After Concept Plan Direction (Page 50D) under this Section.~~
- ~~**D. Approval.** Within ten days after the site plan has been classified as minor site plan, the staff shall approve, approve with conditions, or deny the site plan. If site plan is approved with conditions or denied, then staff may schedule a staff review conference to discuss comments upon request by staff or the applicant. The purpose of the Staff Review Conference is for Staff, applicant, and design consultant to exchange checklists, ideas, suggestions, and questions regarding the applicable site plan regulations as it relates to the submitted site plan and support data.~~

(For minor site plan criteria see the definition, Site Plan, Minor and Sec. 20.201, Minor Subdivisions.)

Sec. XXXXX Minor Site Plan Concept Plan - Submission and Completeness Review^{2, 4}

The submission of a concept plan is a required step for minor site plans determined in Section 24.105. The Department shall have 45 days to complete the sufficiency and completeness review. At the time of submission, Concept Plan shall be placed on the first regularly scheduled Planning Commission meeting after the 45 day review period for the public workshop. Within the 45 days, the department shall have ten (10) days to review the submission and determine whether it is sufficient in that it includes all of the items listed below. If the submission is insufficient, it shall be returned to the applicant. In order to keep on the proposed schedule, the applicant shall resubmit within 10 days after being notified of insufficiency. For the review to be complete within 45 days and remain on the scheduled Planning Commission meeting, all reviewing material, including outside agency reviews, shall be returned to the Department of Planning and Zoning at least 14 days prior to the scheduled Planning Commission workshop.

- A. Submission.** The applicant is responsible for submitting an application and all supporting documents to the planning department. It shall be accompanied by the fee for concept plan review.
- B. Submission Contents.** The submission shall contain the following elements in the number of copies indicated by staff.
 - 1. General location.** A map or aerial photograph showing an area of 500 feet around the

Section XXXX Minor Site Plan Process After Concept Plan Direction

A. Formal Site Plan Submission. An Application, applicable fees, two copies of a Site Plan as outlined in Appendices A and B, 2 copies of Storm Water Management Calculations with Stormwater Narrative and all other applicable Site Plan support material can be submitted after the Concept Plan Direction is given by the Planning Commission.

B. Required Elements. Within 710 days, Engineering Staff shall determine if the Site Plan is sufficient and support material contains at least 70 percent of the required elements of a site plan submission.

C. Within ten days after the Site Plan has been deemed sufficient, the staff shall approve, approve with conditions, or deny the site plan. If the site plan is approved with conditions or denied,

~~C.D. Staff Review Conference. Once Engineering Staff determines that the Site Plan contains 70 percent of the required elements, If site plan is approved with conditions or denied, then staff will schedule a staff review conference to discuss comments. The purpose of the Staff Review Conference is for Staff, applicant, and design consultant to exchange checklists, ideas, suggestions, and questions regarding the applicable site plan regulations as it relates to the submitted site plan and support data. Staff shall send out a notice through the County Alerts system place an advertisement in the Spirit of Jefferson noticing a Staff Review Conference will be held on the first available Staff Review Schedule, which is posted in the office of the Departments of Planning and Zoning, held on the first and third Fridays of every month. This Staff Review Conference shall be open to the public, but will be conducted only between the Staff, applicant and Design Consultant. The Design Consultant is required to attend, or the Staff Review Conference will be postponed to the next available Staff Review Schedule on a first or third Friday of the month.~~

~~D.E. Site Plan Approval. Once the Staff Review Conference is held, the site plan will be exchanged back and forth between the design consultant and Staff via the approved checklist process until such time that the Staff believes that the site plan and support data meets all applicable local and state regulations. Once the Staff determines that the site plan meets all such regulations, the Staff shall approve the site plan and allow the project to proceed to bond the project under the current Jefferson County Bonding Policy. All Health Department, Highway Department, Public Service District, WVDEP and other applicable State and Local Agency Approvals shall be in place prior to the Staff's Approval.~~

~~E.F. Site Plan/Checklist Approval Process. Under Section D above, the applicant may at any time request to be on the Planning Commission agenda pursuant to current agenda rules in order to request that the Planning Commission approve the site plan if the applicant believes that the site plan meets the site plan rules and regulations.~~

Major Site Plan³. A plan that follows the major site development process and proposes one or more of the following:

- A. A new public or private street or dedication to public use of an existing street;
- B. Building(s), both new and additions to existing, where new all structures or new additions located on the parcel are equal to or total more than 250,000 square feet or more of GFA on any site;
 - except building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater;
- C. ~~Apartment or multi-family development of ten or more dwelling units~~; or
- D. A heavy industrial use.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.

Minor Site Plan^{1&3}. A plan that follows the minor site development process and that will not require the development of new infrastructure or the extension of existing off-tract infrastructure, that proposes one or more of the following:

- A. Building(s), both new and additions to existing, where new all structures or new additions to structures located on the parcel total less than 5,000 square feet gross floor area (GFA) on any site shall process administratively ~~, and~~
- A.B. ~~B~~Building(s), both new and additions to existing, where all structures located on the parcel total more than 5,000 and less than ~~50,000~~ 250,000 square feet gross floor area (GFA) on any site shall:
 - Process a concept plan with a public workshop and all remaining site plan review processes shall be administratively approved.
 - In the event that any condition(s) placed upon a site plan during the concept plan public workshop that cannot be addressed or resolved administratively, such condition(s) placed upon the concept plan at the public workshop shall return to the Planning Commission for resolution.
 - ~~Building(s), both new and additions to existing that exceed 50,000 square feet gross floor area at the time of this adoption, adopted 01/19/2012, shall be permitted a one-time expansion up to 25,000 square feet gross floor area with a concept plan public workshop.~~
- B.C. Building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater. Sub-Section AB of this definition does not apply to this provision;¹
- C.D. Apartment or multi-family development ~~. of nine or less dwelling units.~~
 - If apartment or multi-family development proposes 10 units or more, applicant shall process a concept plan with a public workshop and all remaining site plan review processes shall be administratively approved.
 - In the event that any condition(s) placed upon a site plan during the concept plan public workshop that cannot be addressed or resolved administratively, such condition(s) placed upon the concept plan at the public workshop shall return to the Planning Commission for resolution.

Minor Site Plans do not include the design, erection or addition to detached single family dwelling units when only one dwelling unit is located on an established lot.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.³

DRAFT

**PLANNING COMMISSION POLICY REGARDING THE
SUBMITTAL OF DOCUMENTS FOR AGENDA ITEMS**

Approved by the Planning Commission 12/08/2015

SUBMISSION OF DOCUMENTS

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

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

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

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

Recommended this 8th day of December, 2015
By vote of the Jefferson County Planning Commission
By a vote of ____ Yes ____ No

Stephen Stolipher
Planning Commission President



Jefferson County, West Virginia

Departments of Planning and Zoning

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To: Jefferson County Planning Commission
From: Jennifer M. Brockman, AICP
Director of Planning and Zoning
Date: December 8, 2015
RE: 2016 Planning Commission Meeting Schedule

On November 10 the Planning Commission voted to approve the proposed 2016 Meeting Schedule as prepared by staff. On December 3, the County Commission adopted the 2016 Jefferson County Holiday Schedule which created two conflicts with the Planning Commission's approved meeting schedule.

The Primary Election falls on Tuesday, May 10, 2016 and the General Election falls on November 8, 2016. Both office closures occur on regularly scheduled Planning Commission meetings.

Staff respectfully requests the Planning Commission to re-schedule their regular meetings for the months of May and November in 2016.

JEFFERSON COUNTY COMMISSION HOLIDAY SCHEDULE 2016

New Year's Day	Friday, January 1, 2016
Martin Luther King's Day	Monday, January 18, 2016
President's Day	Monday, February 15, 2016
Primary Election	Tuesday, May 10, 2016
Memorial Day	Monday, May 30, 2016
West Virginia Day	Monday, June 20, 2016
Independence Day	Monday, July 4, 2016
Labor Day	Monday, September 5, 2016
Columbus Day	Monday, October 10, 2016
General Election	Tuesday, November 8, 2016
Veteran's Day	Friday, November 11, 2016
Thanksgiving Day	Thursday, November 24, 2016
Day after Thanksgiving	Friday, November 25, 2016
Christmas Day	Monday, December 26, 2016

IN ADDITION TO THE DAYS LISTED ABOVE, THE COMMISSION WILL OBSERVE AS HOLIDAYS, ANY NATIONAL, STATE OR OTHER ELECTION DAY THROUGHOUT THE COUNTY, AND ALL DAYS WHICH MAY BE APPOINTED OR RECOMMENDED BY THE GOVERNOR, OF THIS STATE, OR THE PRESIDENT OF THE UNITED STATES, AS DAYS OF THANKSGIVING, OR FOR THE GENERAL CESSATION OF BUSINESS, ANY DAY OR PART THEREOF DESIGNATED BY THE GOVERNOR AS TIME OFF, WITHOUT CHARGE AGAINST ACCRUED ANNUAL LEAVE, FOR STATE EMPLOYEES STATEWIDE MAY ALSO BE TIME OFF FOR COUNTY EMPLOYEES IF THE COUNTY COMMISSION ELECTS TO DESIGNATE THE DAY OR PART THEREOF AS TIME OFF, WITHOUT CHARGE AGAINST ACCRUED ANNUAL LEAVE FOR COUNTY EMPLOYEES. ANY ENTIRE OR PART STATE WIDE DAY OFF DESIGNATED BY THE GOVERNOR MAY, FOR ALL COURTS BE TREATED AS IF IT WERE A LEGAL HOLIDAY, AS PROVIDE FOR IN 2-2-1 OF THE WEST VIRGINIA CODE, AS AMENDED.

Date: December 3, 2015

PRESIDENT, JEFFERSON COUNTY COMMISSION



JEFFERSON COUNTY, WEST VIRGINIA

Department of Planning and Zoning

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2016 MEETING SCHEDULE JEFFERSON COUNTY PLANNING COMMISSION

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 at 7:00 PM.

Regular Meetings

January 12, 2016

February 9, 2016

March 8, 2016

April 12, 2016

May 10, 2016

June 14, 2016

July 12, 2016

August 9, 2016

September 13, 2016

October 11, 2016

November 8, 2016

December 13, 2016

Tentative Meetings*

January 26, 2016

February 23, 2016

March 22, 2016

April 26, 2016

May 24, 2016

June 28, 2016

July 26, 2016

August 23, 2016

September 27, 2016

October 25, 2016

November 22, 2016

December 27, 2016

*Tentative meetings are held if necessary to conduct Commission business or to meet required deadlines.

Such meeting can be called by the President of the Commission or by a majority vote of the Planning Commission.

Changes in the time or location of the meeting shall be noticed on the County's website at www.jeffersoncountywv.org.

Note: If County offices have been closed due to inclement weather, or if weather conditions make travel unsafe for the public, the Planning Commission meeting may be cancelled. Please check the County's website for possible meeting updates during this time. Thank you.



Jefferson County, West Virginia

Departments of Planning and Zoning

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Director's Report Planning Commission Meeting December 8, 2015

1) Pending Zoning Ordinance and Subdivision Regulation Amendments

a) Campgrounds:

- i. PC discussion and action or proposed revisions scheduled for 12/8/15 PC meeting

b) Major and Minor Subdivision and Site Plan Process:

- i. County Commission action scheduled for 12/3/15

c) Mass Events Ordinance (#ZTA 14-02):

- i. New Public Hearing scheduled for 12/8/15 PC meeting

d) Article 12 Zoning Ordinance

- i. Discussion of proposed amendments required to Article 12 to bring it into conformance with the requirements of WV Code 8A – discussion and potential recommendation scheduled for 12/8/15 PC meeting

e) Pending amendments:

- i. Historic Resource Demolition and Adaptive Reuse
- ii. LESA/Conditional Use and Cluster Subdivision Provision Modifications
- iii. Parking Standards
- iv. Landscape Standards
- v. Signage

2) Upcoming PC meeting

a) Next Regular Meeting: **January 12, 2016**

b) Round Table Discussion Meeting: **Wednesday January 27, 2016 3 pm**