

**PLANNING COMMISSION
CITY OF MARTINSBURG
232 N. QUEEN STREET
Regular Meeting Minutes
December 2, 2015
J. Oakley Seibert Council Chambers**

With a quorum present, President Jim Rodgers called the regular meeting of the Martinsburg Planning Commission to order at 6:00 p.m. The following Commissioners were present: Mark Palmer, Matt Coffey, George Reichard, Jim Rodgers, Chris Ross, Yvonne Jenkins, Scott Hamilton and ex-officio member Councilman Greg Wachtel. The following Commissioners were not present: Jeffrey Molenda and Reenie Raines. Also in attendance were Legal Counsel Kin Sayre, City Engineer/Planning Director Michael Covell, and City Planner Tracy Smith.

ROLL CALL (and microphone check)

APPROVAL OF October 7, 2015 MEETING MINUTES

Commissioner Hamilton noted that he had not made the motion to adjourn as he was absent. Minutes to be amended to show Commissioner Raines made the motion to adjourn the October meeting. Commissioner Reichard made the motion to approve the October minutes with the amendment. Commissioner Jenkins seconded the motion followed by a unanimous vote of “aye”. Motion carried.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

DISCUSSION/ACTION ITEMS:

- a. Review final draft of proposed amendments to Martinsburg Zoning Ordinance Section 601: “Accessory Structures and Use” and Section 602: “Temporary Structures and Uses” for authorization to proceed as text amendment cases.

President Rodgers gave a summary of the numerous reviews that have brought this draft to its current status asking for any final comments before it becomes a Text Amendment application. Commissioner Palmer asked to review a few points for clarification such as intention of allowing any residential use of an accessory structure. After discussion, it was determined that the difference was in not allowing residential use as a primary and/or full time use but only allowing guests or “bona fide servants.” Also clarified was that the renting of up to two (2) bedrooms is an allowed accessory use in the primary dwelling unit, not an accessory use for an accessory structure. Other discussions pertained to in-fill development, Home Occupations, and Professional Offices allowed by the Special Exception. The next discussion, on the proposed (Section 602.24), temporary thirty-day limit, was determined to stand as proposed. The final discussion was regarding the drop-off boxes and violations addressed by Code Enforcement.

Legal Counsel, Kin Sayre, advised the Commission that a simple consensus was all that was required to move forward to a Text Amendment. All members agreed to proceed to Text Amendment.

b. Discuss Martinsburg Zoning Ordinance Section 440: "Signs."

City Engineer, Mike Covell, provided a brief history of the request and of the history of overhanging signs over the past few decades. He noted Main Street Martinsburg's official request to the City Council for the allowance of overhanging signs and stated, to that end, staff has reviewed neighboring jurisdiction's ordinances and used them to compile this first draft toward a proposed Text Amendment. He noted Staff has kept to simple parameters on location, size, height, area, curb proximity, design review, etc., contained in the proposed 643.63(a) which creates a new section for the BD (Downtown Business) District. City Planner, Tracy Smith, added that the BS (Service Business) District allowances have been included where previously they were only located in the Service Business "Design Limitations" section. Discussions included illumination, Historic Preservation Review Commission (HPRC) review, and Code Enforcement's ability to review for maintenance. President Rodgers suggested garnering input from Main Street and other stakeholders before proceeding to Text Amendment. The Commission agreed.

c. Discuss Martinsburg Zoning Ordinance Section 522.3(a) "Design Limitations" for the BS (Service Business) District.

Ms. Smith briefly explained the reason behind this amendment request from the Board of Zoning Appeals who have continually seen Variance applications for an increase from one-square-foot to an average of two-square-foot signage allowance in the BS district. She noted this increase would bring the signage allowance in-line with what is already allowed for a Home Occupation in residential districts. Commissioner Coffey agreed mentioning his time on the BZA and affirming the need for the increase. By consensus, the Commission agreed to move forward with a Text Amendment.

d. Discuss Martinsburg Zoning Ordinance Article X: Section 1003 – Plan Review Requirements. Proposal to change plan review requirements regarding paint.

President Rodgers summarized this request that originated with the HPRC. Ms. Smith noted that only changes in paint color would be removed, but the initial painting of any exterior surface previously untreated would still require review. Mr. Covell affirmed that this would simplify the process for homeowners in the HPRC district. By consensus, the Commission agreed to move forward with a Text Amendment.

e. Discuss updating Comprehensive Plan.

Mr. Covell stated the budget allowance for consulting services has been approved by [City] Council and suggested it would be good to begin re-writing next year, aiming for a 2017 adoption. He went on to note areas and elements within the City limits that have changed these past few years, including the Raleigh Street extension, that would require the Commission review the Comprehensive Plan more robustly than ever. He spoke of forming

review committees and/or subcommittees, stakeholder meetings, public hearings, brownfield's consideration and redevelopment incentives, a sustainable downtown, the Economic Development Plan, and aligning the new comprehensive plan with revamped city services. Other discussions included the evaluation, selection, scope of work, State Code, and procurement process for hiring consultants. Commissioner Rodgers concluded this discussion item by requesting staff keep the Commission updated as needed.

OTHER BUSINESS:

- Next regular meeting scheduled for January 6, 2016 at 6:00 p.m.

ADJOURNMENT

Commissioner Hamilton made the motion to adjourn. Commissioner Jenkins seconded the motion followed by a unanimous vote of "aye". Motion carried.

The meeting was adjourned at 8:44 pm.

Jim Rodgers, President

Tracy A. Smith, City Planner