

## PUTNAM COUNTY PLANNING COMMISSION

### ORDINANCE REVIEW SUBCOMMITTEE MEETING

Tuesday, February 20<sup>th</sup>, 2024

PUTNAM COUNTY COURTHOUSE, Courtroom 221

- The PCPC Ordinance Review Subcommittee met at 5:30 p.m. on Tuesday, February 20, 2024, at the Putnam County Courthouse, Courtroom 221.

**Note:** Meeting was called to order at 5:30 p.m.

- **Roll Call:**

Members present: Jim Dodrill, Dave Hobba, Bryan Hoylman, David Mills, Adam Sigman, Brian Ellis (arrived at 5:43 pm) & Jacob Pack (arrived at 5:46pm)

Members absent: None

Others Present: Jason C. Miller, Skyler Matthews, Jimmy Thaxton, Shirley Jones, & Sarah Drenna

Staff present: David Coll, Melissa Sargent & Denise May

- **APPROVAL OF MEETING MINUTES:**

Adam Sigman made a motion to approve the prior minutes from February 2, 2023. Bryan Hoylman seconded the motion. Motion carried.

- **CITIZENS CONCERN:**

1. Jason Miller - 296 Roxalana Hills Drive, Dunbar, WV 25064.

Mr. Miller stated his family has property along the south side of 35 & 817 in Frazier's Bottom. Mr. Miller asked about the reason for the proposed amendment(s) removing Class B from 'C-1' as a Permitted Principle Use and from 'C-2' as a Special Permit Use as documented in proposed Text Amendments 2024-01 & 2024-02. President David Mills stated as part of the Ordinance Review Subcommittee & Planning Commission, both groups are tasked to ensure that the county's Ordinances are up to date with the times, which would include removing Class B Single Family Dwellings from both use lists.

2. Jimmy Thaxton – 18010 Winfield Road, Frazier's Bottom, WV 25082.

Mr. Thaxton asked "What if he owned C-1 property and wanted to develop a business on it, but also wanted to put a mobile home on it for the security of his tools during construction? If this ordinance passes, then that wouldn't be allowed?" Staff responded to Mr. Thaxton that this

scenario could be treated as a Temporary Permit and would go before the Planning Commission for approval. President David Mills stated that being a member of the Ordinance Review Subcommittee that is the subcommittee's job to ensure that the ordinances are up to date.

- **Disclosure of Conflict:**

No member disclosed a conflict of interest.

- Staff presented the following Proposed Text Amendments, copies of which are attached and made part of the minutes.
- The following documentation is a synopsis of the proposed amendment(s) presented to and ultimately recommended by the Ordinance Review Subcommittee:

- **Discussion and Possible Decision on the Following Proposed Text Amendments:**

***David Coll presented the following proposed text amendments to the Committee for discussion and consideration:***

- I. **Proposed Text Amendment 2024-01:** Mr. David Mills, President of the Putnam County Planning Commission has applied for a text amendment to amend 'C-1' Suburban Commercial District – Article 600.02 – “Permitted Principal Uses” of the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, West Virginia. Mr. Mills proposes the removal of “Class B Single Family Dwelling” from the ‘C-1’ Zoning District “Permitted Principle Use List.”
  - The subcommittee discussed the proposed text amendment and agreed upon the following revised language...

*“Single Family Dwelling (other than Lease Community); Class A and B; see Article 1700.”*
  - Jacob Pack made a motion to recommend Proposed Text Amendment 2024-01 to the Planning Commission as revised. David Hobba seconded the motion. The motion carried.
- II. **Proposed Text Amendment 2024-02:** Mr. David Mills, President of the Putnam County Planning Commission has applied for a text amendment to amend 'C-2' High Density Commercial District – Article 650.04 – “Special Permit Uses” of the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, West Virginia. Mr. Mills proposes the removal of “Class B Single Family Dwelling” from the ‘C-2’ Zoning District “Special Permit Use List.”
  - Bryan Hoylman made a motion to recommend Proposed Text Amendment 2024-02 to the Planning Commission as presented. Jacob Pack seconded the motion. The motion carried.

*\*Per Mr. Mill's direction, Mr. Coll presented the following three (3) proposed text amendments in succession so the Ordinance Review Subcommittee could comment on all three propositions, as opposed to considering each proposed amendment individually.*

- III. **Proposed Text Amendment 2024-03:** Mr. David Mills, President of the Putnam County Planning Commission has applied for a text amendment to amend Article 150.02 – “Definition of Terms” of the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, West Virginia. Mr. Mills proposes the addition of a definition for “Indoor Shooting Range.”
- IV. **Proposed Text Amendment 2024-04:** Mr. David Mills, President of the Putnam County Planning Commission has applied for a text amendment to amend Article 150.02 – “Definition of Terms” of the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, West Virginia. Mr. Mills proposes two (2) additions to amend the existing definition for “Recreation, Commercial.”
- V. **Proposed Text Amendment 2024-05:** Mr. David Mills, President of the Putnam County Planning Commission has applied for a text amendment to amend Article 1700.17 – “Requirements for Unique Land Uses – ‘S’ – Commercial Recreation or Sports Facility – Specifically Indoor Shooting Ranges” of the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, West Virginia. Mr. Mills proposes conditions required for approval pertaining to “Commercial Recreational Development – Specifically Indoor Shooting Ranges” in ‘C-1’ and ‘C-2’ Zoning Districts.

*\*Mr. Coll asked permission of Mr. Mills to read the following statement...*

- I. *“It is my opinion that an “Indoor Shooting Range” may not be compatible with all ‘C-1’ and ‘C-2’ Commercial Zoning District properties and neighboring communities.”*
  - II. *“If the term “Indoor Shooting Range” is added to the existing “Recreation, Commercial” definition found in Article 150 – Definitions, there will be no review process available to determine if the use is compatible with the proposed location and neighboring community since “Recreation, Commercial” is a Permitted Principle Use in a ‘C-1’ and a ‘C-2’ Commercial Zoning District.”*
  - III. *“I would like to ask this committee to consider the option of making an “Indoor Shooting Range” a Special Permit Use in the ‘C-1’ and ‘C-2’ Commercial Zoning Districts as opposed to including the proposed use in the existing definition of “Recreation, Commercial” so each site can be evaluated on its own unique merits.”*
  - IV. *“In my opinion, a reasonable and responsible approach might be to explore the following:*
    - a. *Develop a definition for “Indoor Shooting Range” and request an amendment to add said definition to the Zoning Ordinance.*
    - b. *Request an amendment to add “Indoor Shooting Range” as a Special Permit Use in the ‘C-1’ and ‘C-2’ Commercial Zoning Districts.*
    - c. *This approach would require the Board of Zoning Appeals (BZA) to review each “Indoor Shooting Range” application and preliminary site plan to determine if the proposed use was compatible with the selected location and neighboring community.*
    - d. *This would also allow abutting landowners to make their voices heard relative to the proposed introduction of an indoor shooting range to their community.”*
- The subcommittee considered Mr. Coll’s comments but did not agree with his position.
  - Dave Hobba made a motion to recommend Proposed Text Amendments 2024-03, 2024-04, and 2024-05 to the Planning Commission as presented. Jim Dodrill seconded the motion. The motion carried.

- **NEW BUSINESS:** Mr. Coll asked Mr. Mills if he would like Proposed Text Amendment 2024-06 to be presented to the Ordinance Review Subcommittee at their next meeting or if it would be acceptable to present Proposed Text Amendment 2024-06 to the entire Planning Commission at their next meeting. Mr. Mills asked Mr. Coll to present the following to the Planning Commission at their next meeting.

**Proposed Text Amendment 2024-06:** Mr. David Mills, President of the Putnam County Planning Commission has applied for a text amendment to amend 'I-1' Light Industrial District – Article 800.02 – “Permitted Principal Uses” of the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, West Virginia. Mr. Mills proposes the addition of “Heavy Equipment Sales and Service” to the “Permitted Principle Uses List.”

- **UNFINISHED BUSINESS:**  
No unfinished business was reported.
- **ADJOURNMENT:**  
David Mills made a motion to adjourn, and it was seconded by Jacob Pack.



David Mills, Sub-Committee Chair



David Coll, Planning Director