

APPLICATION FOR ANNEXATIONS BY URBAN GROWTH BOUNDARY ADJUSTMENTS

The City of Charles Town, WV files this application to the Jefferson County Commission for approval of the annexation of 922 properties within the “Charles Town Urban Growth Boundary”.

The City of Charles Town established an Urban Growth Boundary in 2003 to identify the logical extent of city growth, development, utility services, and investment in the area around the established city limits. The Jefferson County Commission affirmed and adopted the Charles Town UGB in 2010 in a revision to the County Zoning Map and affirmed the UGB again in 2014 with the “Envision Jefferson 2035” comprehensive plan and new 2015 Jefferson County Zoning Map. *See Attachment A.* Urban Growth Boundaries have been used across America to foster investment in the urban core, avoid scattered and sprawling development in agricultural and green space areas, reduce the cost of inefficient government services, and minimize conflicts between urban and rural areas.

In the years since the city’s adoption of the UGB, Charles Town has annexed several properties to the east and south of the established corporate limits. Unfortunately, many “holes” remain in the city limits, and the city’s map looks much like “swiss cheese” with interspersed lands under mixed city and county jurisdiction. Along the south side of Route 340 between Jefferson Avenue and Marlowe Road, there is a scattered mix of city and county-based properties. Along Jefferson Avenue, some properties are in the city, some are not. There are vacant and dilapidated houses in the west end of Charles Town that remain outside the city. The areas along Old Route 340 between the Sav-a-Lot Grocery store and the Huntfield community and Washington High School – all of which are part of the city jurisdiction – are lands that are not in the city.

For these reasons, the Mayor and City Council of Charles Town voted unanimously on March 20, 2017 to move forward on an annexation of targeted properties within the Charles Town Urban Growth boundary. Charles Town plans to annex 2,602 acres of land which includes 922 properties and 41.05 miles of roads and highways.

Charles Town believes that these UGB annexations will be good for the City of Charles Town, good for Jefferson County, positive for the property owners and users who are annexed, and beneficial for the entire community. These annexations will allow Charles Town to fill in the “swiss cheese”, manage growth in a smart and sustainable way, provide efficient government services, and stabilize city revenues. These annexations will not meaningfully decrease



Jefferson County tax revenues, yet will free the county from obligations to provide costly services to these areas. These annexations will enable Charles Town to provide beneficial municipal services to annexed property owners – who are realistically already in the Charles Town community and enjoy many of the city’s services already. Altogether, these UGB annexations will enable Charles Town to pursue a vision for sustainable, high-quality growth, robust economic development, and initiatives to promote higher quality of life for all the current, and future, residents and businesses of Charles Town.

APPLICABLE LAW

West Virginia state law at Section 8-6-4a allows municipalities to annex lands outside its current corporate boundaries using several method. Cities with urban growth boundaries adopted in the county zoning ordinance (such as Charles Town) can conduct “Annexation by Boundary Adjustment” within the UGB. The procedure to be used for such “UGB annexations” must follow the provisions of West Virginia Code Section 8-6-5, which provide for “Annexation by Minor Boundary Adjustment”. In essence, an annexation by a city within its UGB is considered a “minor boundary adjustment.” Such UGB annexations can be done without permission from property owners/users who are annexed, or from the County Commission.

SUMMARY OF CHARLES TOWN ANNEXATIONS

- 2,601.83 acres
- 813 residences including 609 single family houses, 199 townhouses and 5 mixed-use and apartment buildings
- 38 commercial properties
- 12 agricultural parcels
- 59 parcels of undeveloped land
- 28.61 linear miles including parts or all of 63 state, federal, county, and local roads
- Additional population of 2,174 people, above baseline of 5,899 people (2015 Census estimates)
- This proposed annexation area does not constitute the entire Charles Town Urban Growth Boundary, but just targeted, high priority areas within the UGB. Annexation areas focused on:
 - lands along Route 340, generally on its south side, from approximately Jefferson Avenue to Marlowe Road, extending south to the new Route 9 corridor;
 - lands along both sides of Jefferson Avenue;
 - pockets of unincorporated land on Charles Town’s west end extending to the Norfolk-Southern rail line; and
 - lands on both sides of Old Route 340 between Sav-a-Lot in downtown and the Huntfield community.

PROCEDURE REQUESTED BY THE CITY OF CHARLES TOWN

- **March 20:** Charles Town Mayor & City Council commence annexation plan & package with unanimous vote
- **March 30:** City of Charles Town presents annexation application package to Jefferson County Commission
- **April 6:** Charles Town presents to County Commission, requests determination that annexation application meets threshold requirements, directs notice to be given the week of April 10, and sets matter for hearing May 4
- **Week of April 10:** County Commission provides required notices and postings. Although not required by law Charles Town also mails out a public info flier, posts information on www.CharlesTownwv.us, and calls public meeting for April 24 at 6PM in Wright-Denny School auditorium.
- **May 4:** Requested County public hearing on, and requested affirmation of, UGB annexations
- **May 8 & 22:** Charles Town ordinance readings putting annexations into effect

CHARLES TOWN UGB

APPENDIX A

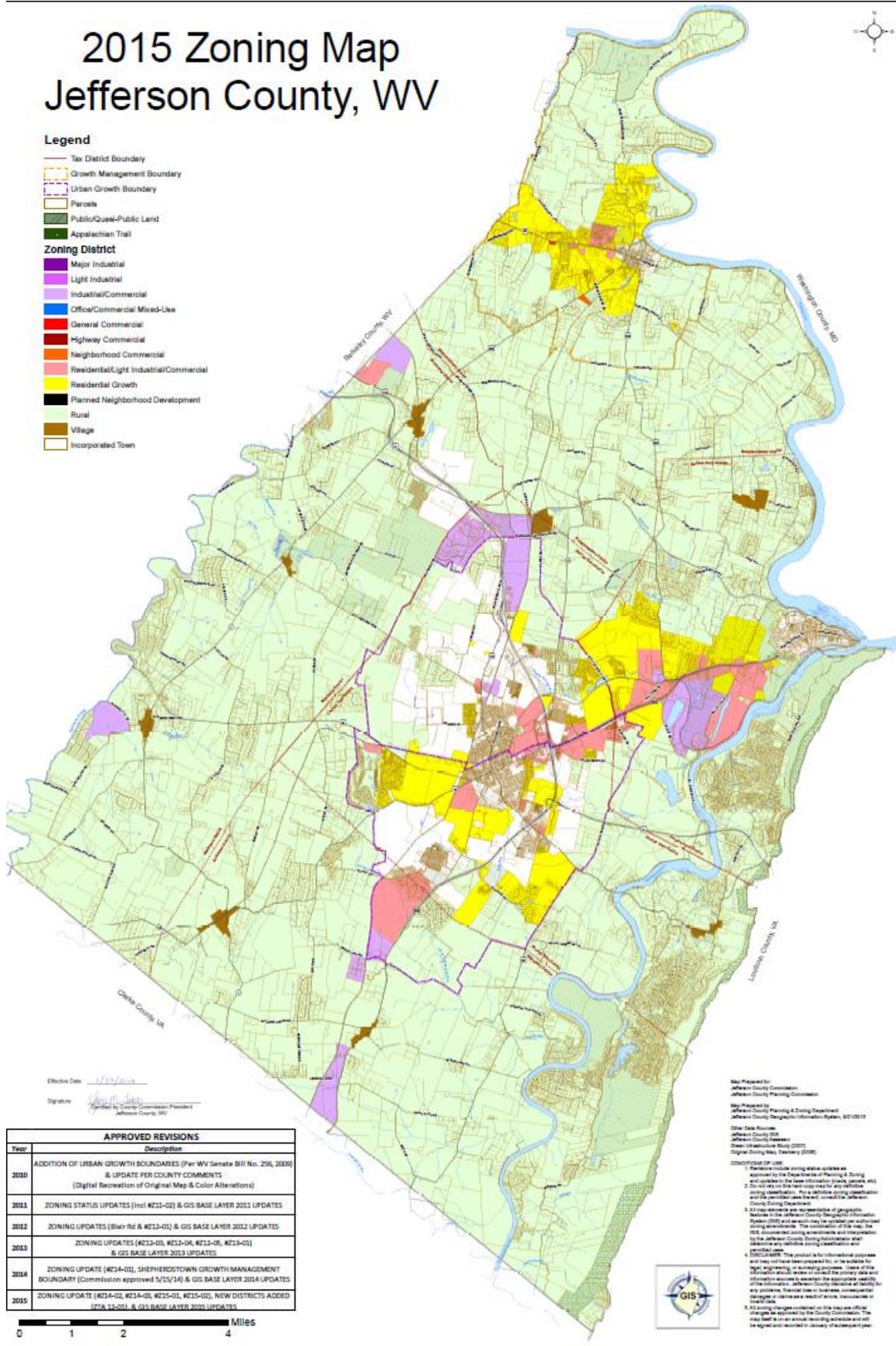
JEFFERSON COUNTY 2015 ZONING MAP

2015 Zoning Map Jefferson County, WV



Legend

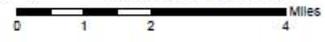
- Tax District Boundary
- Growth Management Boundary
- Urban Growth Boundary
- Parcels
- Public/Quasi-Public Land
- Appalachian Trail
- Zoning District**
- Major Industrial
- Light Industrial
- Industrial/Commercial
- Office/Commercial Mixed-Use
- General Commercial
- Highway Commercial
- Neighborhood Commercial
- Residential/Light Industrial/Commercial
- Residential Growth
- Planned Neighborhood Development
- Rural
- Village
- Incorporated Town



Effective Date: 1/1/2015

Signature: *[Signature]*
 Certified by County Commission President
 Jefferson County, WV

| APPROVED REVISIONS | |
|--------------------|--|
| Year | Description |
| 2010 | ADDITION OF URBAN GROWTH BOUNDARIES (Per WV Senate Bill No. 256, 2009) & UPDATE PER COUNTY COMMENTS (Digital Recreation of Original Map & Color Alterations) |
| 2011 | ZONING STATUS UPDATES (incl. RZ13-02) & GIS BASE LAYER 2011 UPDATES |
| 2012 | ZONING UPDATES (Silver Rd & RZ13-01) & GIS BASE LAYER 2012 UPDATES |
| 2013 | ZONING UPDATES (RZ13-03, RZ13-04, RZ13-05, RZ13-01) & GIS BASE LAYER 2013 UPDATES |
| 2014 | ZONING UPDATE (RZ14-01), SHEPHERDSTOWN GROWTH MANAGEMENT BOUNDARY (Commission approved 5/15/14) & GIS BASE LAYER 2014 UPDATES |
| 2015 | ZONING UPDATES (RZ15-02, RZ15-03, RZ15-01, RZ15-02), NEW DISTRICTS ADDED (RTA 12-01) & GIS BASE LAYER 2015 UPDATES |



Map Prepared for:
 Jefferson County Commission
 Jefferson County Planning Commission

Map Prepared by:
 Jefferson County Planning & Zoning Department
 Jefferson County Geographic Information System, 60102118
 Jefferson County GIS
 Jefferson County Planner
 Green Information Study (GIS)
 (Digital Zoning Map, January 2015)

- CONDITIONS OF USE:**
1. Revisions include zoning status updates as approved by the Department of Planning & Zoning and updates to the base information (roads, parcels, etc.)
 2. Do not rely on this map and data for any public safety or life-critical decisions. For a definitive zoning classification and the associated area based, consult the Jefferson County Zoning Department.
 3. All map elements are the property of Jefferson County. Reproduction or distribution of this map without the written permission of the Jefferson County Zoning Department is prohibited. The Jefferson County Geographic Information System (GIS) and the data used are the property of Jefferson County. The GIS, as presented, is provided as is and does not constitute any warranty, representation, or endorsement by Jefferson County. Jefferson County does not assume any liability for any errors, omissions, or inaccuracies in the data.
 4. **DISCLAIMER:** This product is for informational purposes and may not have been prepared by, or be suitable for, legal, engineering, or planning purposes. Users of the information should conduct their own due diligence and information sources to verify the appropriate zoning classification and associated area based. Jefferson County does not assume any liability for any errors, omissions, or inaccuracies in the data.
 5. All zoning changes contained on this map are official and apply to all parcels within the County Commission. The map shall be used as an annual zoning schedule and will be signed and recorded in January of the following year.

