



City of Elkins

Planning Commission Meeting

January 8, 2026

4:00 PM

RCDA - W. Va. Wood Technology Center
10 Eleventh Street
Elkins, WV 26241

AGENDA

1. **Call to Order and Roll Call**
2. **Public Comment**
3. **Minutes**
 - a. Proposed minutes for the meeting of December 11, 2025
4. **Reports**
5. **New Business**
 - a. Review and changes to the draft Comprehensive Plan
 - b. Policy and procedures for applying to amend the zoning code or map
6. **Announcements**
7. **Adjournment**



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 8, 2026
Section:	Minutes
Category:	Action Item
Agenda Item Name:	Proposed minutes for the meeting of December 11, 2025
Recommended By:	City Clerk
Summary:	Minutes for the referenced meeting
Fiscal Impact:	n/a
Recommendation:	Consider for approval
Attachments:	1. Planning Commission - 2025_12_11 - minutes_proposed

PLANNING COMMISSION MEETING MINUTES

*West Virginia Wood Technology Center/RCDA
10 Eleventh Street
December 11, 2025
4:00 p.m.*

Present were Commissioners A. Carroll (Chair), E. Armstrong, P. Kolsun, J. Marco (Mayor), D. Smith, K. Somers, and S. Evick.

Also present: S. Stokes (City Clerk and Recording Secretary).

PUBLIC COMMENT

There was no public comment.

MINUTES

Marco **MOVED APPROVAL OF THE MINUTES OF THE NOVEMBER 13, 2025.** The motion carried.

NEW BUSINESS

a. Review of draft Future Land Use and Redevelopment Area maps

The Commission discussed the Future Land Use and Redevelopment Area maps and found no further changes were needed at this time.

b. Proposed policy, process, and forms (including fees) for application to amend the city's Zoning Map and Code

The Commission discussed the proposed application process to amend the city's Zoning Map and Code. No action taken.

The meeting adjourned at 4:59 p.m.

Name & Title

Signature



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 8, 2026
Section:	New Business
Category:	Action Item
Agenda Item Name:	Review and changes to the draft Comprehensive Plan
Recommended By:	WVU Law Clinic
Summary:	WVU Land Use and Sustainable Development Law Clinic consultant will lead discussion of the draft comprehensive plan.
Fiscal Impact:	n/a
Recommendation:	Review, discuss, and decide next steps
Attachments:	1. Implementation Matrix

Recommendation	Priority	Timeframe	Reference page #	Responsible Party	Recommended Partners	Funding Sources
Goal 1: Further strengthen public safety services to meet the needs of existing and future residents and businesses.						
Coordinate with Randolph County to expand public safety services upon completion of Corridor H						
Establish a detective division within the police department						
Ensure the fire department is fully equipped and supported						
Consider the feasibility of a strategically located fire department substation						
Explore partnerships with Randolph County regarding fire services						
Continue the Regional Task Force on Addiction, Homelessness, and Mental Health						
Goal 2: Meet the needs of current residents of all economic levels, while exploring options for future expansion.						
Prioritize funding for demolition of dilapidated buildings						
Support and facilitate the redevelopment of vacant lots after demolition						
Consider the feasibility of a downpayment assistance program						
Explore loan programs that support property owners in making property maintenance and repair improvements						
Partner with community organizations to host joint clean-up events						
Ensure code requirements for landlords are readily accessible						

Recommendation	Priority	Timeframe	Reference page #	Responsible Party	Recommended Partners	Funding Sources
Goal 3: Upgrade infrastructure to meet current needs while preparing for future growth						
Expand public water and sewer to underserved areas						
Continue to improve the city’s water and sewer system						
Consider a stormwater utility fee						
Consider a stormwater ordinance						
Update the GIS mapping system						
Implement the Streetscape Master Plan						
Consider various approaches for developing and maintaining sidewalks throughout the city						
Continue to encourage bicycle friendly amenities						
Install wayfinding signage						
Collaborate with WV DOT create safe and cohesive transportation network						
Goal 4: Provide opportunities for increased economic development						
Evaluate and pursue strategic annexation opportunities						
Explore methods to spearhead economic development in city limits						
Explore a public education campaign to increase awareness and understanding of how local government functions						
Explore funding opportunities to maximize the value and impact of the TIFF district						
Continue to explore incentives to encourage façade improvements						
Provide ongoing support and recognition to organizations coordinating local events						

Recommendation	Priority	Timeframe	Reference page #	Responsible Party	Recommended Partners	Funding Sources
Goal 5: Enhance and protect the characteristics of the city through proactive land use planning						
Revise the zoning ordinance industrial zones to reduce conflicts between industrial uses and nonindustrial uses						
Implement the Riverfront Master Plan						
Improve River Bend Park						
Improve Glendale Park						
Improve City Park						
Construct a walking trail around the new industrial park						
Continue to support Elkins Area Shared Trail (EAST) organization						
Goal 6: Use technology to increase organizational efficiency and strengthen service delivery						
Improve the city website						
Provide technology access throughout the city						
Implement smart city technology in different sectors						
Improve data storage in city						
Develop more accessible processes for public						



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 8, 2026
Section:	New Business
Category:	Action Item
Agenda Item Name:	Policy and procedures for applying to amend the zoning code or map
Recommended By:	City Clerk
Summary:	Updated drafts of the referenced policy and related forms are attached for review.
Fiscal Impact:	n/a
Recommendation:	Review presented information and decide next steps
Attachments:	<ol style="list-style-type: none"> 1. zoning change process policy - 2025_12_23 2. COE PC_zoning map amendment - 2025_12_12 3. COE PC_zoning text amendment - 2025_12_12

City of Elkins, West Virginia

Policy and Procedures for Zoning Amendment Requests

~~(Zoning Map Amendments and Zoning Text Amendments)~~

Adopted by the Elkins Planning Commission:

1. Purpose and Intent

The zoning regulations of the City of Elkins exist to promote the health, safety, and general welfare of the community by managing land uses, protecting property values, and supporting orderly growth. Under West Virginia Code §8A-7 and §8A-8, changes to zoning regulations must follow a structured public process, including review and recommendation by the Planning Commission and action by Common Council.

This policy establishes application fees and cost-recovery procedures, required information for zoning amendment petitions, submission and workflow procedures, and statutory process requirements, including notice and hearing timelines.

Requests may be initiated by the City or by private applicants (including property owners, developers, or residents). When initiated by a private party, a filing fee is required.

2. Position Regarding “Spot Zoning”

The City of Elkins affirms the long-standing planning principle that “spot zoning,” meaning rezoning of a single parcel or a small group of parcels that is out of harmony with surrounding zoning districts and not supported by the Comprehensive Plan, is generally inconsistent with the purpose of zoning.

Applicants should be aware that:

- Zoning amendments must be compatible with the City’s adopted land use policies.
- Planning Commission must make findings of consistency with the City’s Comprehensive Plan pursuant to W. Va. Code §8A-7-8.
- Isolated rezoning that confers a private benefit absent a public purpose is unlikely to be recommended for approval.

This policy does not prohibit small-area rezonings, and the Commission will consider all complete applications under this policy, but applicants must in all cases supply justification demonstrating public benefit, ~~plan~~ Comprehensive Plan consistency, and compatibility with adjacent land uses.

3. Definitions: Types of Zoning Amendments

The Elkins Planning Commission considers Zoning Code amendments in two categories, Zoning Code Text Amendments and Zoning Code Map Amendments. There is a different application form and process for each. More information on each category is provided below.

Zoning Code Text Amendment

A Zoning Code Text Amendment is an amendment to the written provisions of the City of Elkins Zoning Code that changes regulations of general applicability, including permitted or conditional uses, development standards, definitions, or procedural requirements. A text amendment does not alter the zoning classification of any specific parcel shown on the official Zoning Map.

Text amendments apply uniformly to all properties subject to the amended provisions and are legislative in nature.

Examples include:

- Amending permitted or conditional uses within a zoning district;
- Revising dimensional standards such as height, setback, or parking requirements;
- Modifying definitions or administrative procedures contained in the zoning code.

Zoning Code Map Amendment

A Zoning Code Map Amendment is an amendment to the official Zoning Map of the City of Elkins that changes the zoning district designation of a specific parcel or group of parcels. A map amendment alters the range of permitted uses and development standards applicable to the affected property or properties.

Map amendments are site-specific legislative actions and are subject to additional notice requirements, including posting of the affected property, as required by W. Va. Code Chapter 8A.

Examples include:

- Changing the zoning designation of a parcel from residential to commercial;
- Rezoning multiple contiguous parcels to implement an adopted plan or correct inconsistent zoning boundaries; or
- Correcting a mapping error reflected on the official Zoning Map.

3.4. Fees and Cost Responsibility

A non-refundable application fee of \$100.00 shall accompany each zoning amendment application initiated by a member of the public, whether for a Zoning Map Amendment or a Zoning Text Amendment.

For Zoning Map Amendments, West Virginia Code §8A-7-8 and §8A-7-9 require publication of legal notice in a newspaper of general circulation and, where applicable, posting of notice on the subject property. At the time an application is submitted, the City Clerk will determine the required publication and posting costs and provide the applicant with an invoice for those expenses.

An application shall not be deemed complete until all required payments have been received, including the application fee and any required publication and posting costs. All payments shall be made to the Office of the City Treasurer.

In the event the Planning Commission determines that an application identifies an error or omission in the City's zoning laws, the Commission may independently recommend a corrective amendment to Common Council, with any associated fees or costs borne by the City.

A non-refundable application fee of \$100.00 shall accompany each zoning amendment application, whether for a zoning map amendment or a zoning text amendment.

Under West Virginia Code §8A-7-8 and §8A-7-9, zoning amendments require legal advertisements in a newspaper of general circulation and, in the case of map amendments, posting of notice on the subject property. Applicants will be billed separately for actual publication and posting expenses. Payment of publication and posting costs is required before a public hearing will be scheduled.

4.5. Submission and Workflow

This section describes the steps to be followed in submitting and processing an application to amend the Elkins Zoning Code. The City Clerk serves as staff to the Planning Commission and can assist applicants in understanding and following this process.

Step 1: Application Forms

Obtain the applicable application forms from the Office of the City Clerk or the City website. The City Clerk can assist in determining whether the request is for a **Zoning Code Text Amendment** or a **Zoning Code Map Amendment**, as the review process and notice requirements differ.

Step 2: Application Submission

Submit a completed application to the City Clerk, including the original signed and notarized application, one copy of all supporting materials, all required attachments, and the applicable application fee. Incomplete applications will not be docketed for Planning Commission review.

Step 3: Administrative Review

The City Clerk and/or other applicable staff will review the application for administrative completeness, confirm that required materials have been submitted, and verify payment of fees or billing arrangements.

- For **Zoning Map Amendments**, once the application is deemed complete, it is considered received by the Planning Commission for purposes of statutory review and timeline (“Day 0” of 60-day clock).
- For **Zoning Text Amendments**, the application will be placed on the agenda of a regular Planning Commission meeting for consideration.

Step 4: Planning Commission Review and Hearing Requirements

Zoning Map Amendments

No later than sixty (60) days after a complete application has been received, the Planning Commission will schedule and hold at least one public hearing on the proposed amendment. The City will publish notice of the hearing as a Class I legal advertisement in accordance with W. Va. Code §8A-7-8, at least fifteen (15) days prior to the hearing. Signage will also be posted on or near the subject property as required by law.

Zoning Text Amendments

Zoning Code Text Amendments are typically considered at a regular meeting of the Planning Commission. Public hearings, legal advertising, and posting are not required unless otherwise directed by the Planning Commission or required by law.

Step 5: Planning Commission Evaluation

The Planning Commission will review the proposed amendment and evaluate factors including consistency with the Comprehensive Plan, promotion of the public health, safety, and welfare, sound planning practice, and compliance with applicable statutory standards.

Step 6: Planning Commission Recommendation

Pursuant to W. Va. Code §8A-7-8(e), the Planning Commission will forward a written recommendation to Common Council to approve, approve with modifications, or deny the application.

Step 7: Common Council Consideration and Action

Common Council will consider the Planning Commission’s recommendation at a regular public meeting. Council may, but is not required to, hold an additional public hearing pursuant to W. Va. Code §8A-7-9. Adoption of any zoning amendment requires passage of an ordinance.

Step 1: Obtain application forms from the Office of the City Clerk or the City website.

Step 2: Submit a completed application to the City Clerk including: original signed and notarized application, one copy of all supporting materials, required attachments, and the application fee. Incomplete applications will not be docketed for Planning Commission review.

Step 3: The City Clerk and/or Planning Commission staff will review the application for administrative completeness, confirm that required documents are submitted, and verify payment of fees or billing arrangements.

Step 4: The Planning Commission will schedule a public hearing. The City will publish legal notice of the hearing as required by W. Va. Code §8A-7-8 and, in the case of a map amendment, will post signage on or near the subject property.

Step 5: The Planning Commission will hold at least one public hearing. The Commission will evaluate whether the request is consistent with the Comprehensive Plan, promotes the public health and welfare, represents sound planning practice, and does not constitute prohibited spot zoning.

Step 6: Under W. Va. Code §8A-7-8(e), the Planning Commission will provide a written recommendation to Common Council approving, approving with modifications, or denying the application.

Step 7: Common Council will consider the recommendation at a regular public meeting. Council may hold an additional public hearing pursuant to W. Va. Code §8A-7-9. Adoption of a zoning amendment requires passage of an ordinance.

5. Statutory Timeline Guidance (W. Va. Code Chapter 8A)

6. Minimum Time Requirements and Typical Review

Duration

Applicants should be aware of the following minimum statutory timing requirements for **Zoning Map Amendments**:

- A **Class I legal advertisement** must be published at least **fifteen (15) days** prior to a Planning Commission public hearing, in accordance with W. Va. Code §8A-7-8.
- If Common Council elects to conduct its own public hearing, a **separate Class I legal advertisement** must also be published at least **fifteen (15) days** prior to that hearing, in accordance with W. Va. Code §8A-7-9.

From receipt of a **complete** application by the Planning Commission, the total review and adoption process for a Zoning Map Amendment typically ranges from **45 to 120 days**, depending on statutory notice requirements, meeting schedules, and the factors described below.

Zoning Code Text Amendments are not subject to the same minimum notice and advertising requirements and are typically considered at a regular meeting of the Planning Commission, unless additional process is required by law or directed by the Commission.A

7. What Can Delay Review?

The following factors commonly affect the overall timeline for zoning amendment review:

- Incomplete applications or missing required materials, which must be corrected before the application is deemed received and may be presented or docketed for the Planning Commission.
- Meeting schedules, including Planning Commission and Common Council meeting dates, holidays, or cancellations.
- Legal advertising deadlines, particularly newspaper publication schedules that affect when hearings may be noticed.
- Requests for revisions or additional information by the Planning Commission or staff during review.
- Multiple hearings, including situations where:
 - the Planning Commission continues a hearing to a later date, or
 - Common Council elects to hold its own public hearing.
- Complexity or scope of the request, including amendments affecting multiple parcels or raising significant planning or policy issues.

Applicants are encouraged to work closely with the City Clerk early in the process to understand scheduling considerations and minimize avoidable delays. applicants should be aware of the following minimum time requirements:

- Class I legal advertisement must be published at least 15 days prior to a Planning Commission hearing (W. Va. Code §8A-7-8)
- If Common Council conducts its own public hearing, a Class I notice must also be published at least 15 days prior (W. Va. Code §8A-7-9)

Total process time may range from 45 to 120 days depending on meeting schedules, publication timing, completeness of application materials, and whether revisions are requested during the process.

Assistance and Contact Information

8. Assistance and Contact Information

~~6.~~

Office of the City Clerk
401 Davis Avenue, Elkins, WV 26241
304-636-1414 (Main)
suttonstokes@cityofelkinswv.gov

Commented [SS1]: Add Jessie?

Staff may provide guidance regarding application completeness, meeting schedules, and statutory process but cannot provide legal advice or guarantee approval of any amendment.



APPLICATION FOR ZONING MAP AMENDMENT

Elkins Planning Commission

Version adopted [REDACTED]

Use this application for requests to change the zoning district designation of a parcel or group of parcels.

Name of Applicant: _____

Applicant Address: _____

Applicant Phone No: _____ Applicant Email: _____

Application Fee: \$100. (You will be billed separately for the cost of legal advertisement and notification posters, if applicable. All fees and costs are non-refundable.)

Zoning amendment petitions shall include the following information, as applicable, and in sufficient detail to support the requested amendment:

- a. The street address, parcel identification number, and legal description of the property or properties for which the zoning amendment is requested;
 - b. A scaled map of the subject property, correlated with the legal description, clearly showing the property's location;
 - c. The name, mailing address, email address, and telephone number of the petitioner(s);
 - d. The petitioner's ownership interest in the subject property, including the name and address of any additional owners of record if the property is held jointly or by multiple parties;
 - e. A description of the existing use(s) of the property (see Elkins Code § 152.056);
 - f. A description of the proposed use(s) of the property;
 - g. If applicable, the proposed text amendment pursuant to Elkins Code § 152.024 (attach the Elkins Planning Commission Application for Zoning Text Amendment);
 - h. The total area of the property in square feet and/or acres;
 - i. A proposed development time schedule, if applicable;
 - j. Additional exhibits as may be required by staff, such as a plot plan or site plan showing existing and proposed structures, easements, watercourses, curb cuts, and the uses of adjacent properties, as necessary to describe existing or proposed conditions; and
 - k. The signature(s) of the petitioner(s), certifying that the information provided is true and accurate to the best of their knowledge.
-

Attestation:

The applicant shall provide their name, complete mailing address, and telephone number above. If this application is submitted on behalf of a corporation, partnership, trust, or other entity, written documentation authorizing the applicant to act on behalf of the owner(s) shall be attached.

With my signature below, I hereby certify that all information provided in this application, and in all documents, statements, maps, and exhibits submitted with it, is true and correct to the best of my knowledge and belief. I acknowledge that zoning amendments require an application fee and may require legal advertisement and/or posting of notice on the subject property, as required by law. I understand that I must pay the application fee and will be billed separately for the actual cost of any required publication and/or posting and that payment of all of these costs is required before the application may be scheduled for public hearing or further consideration.

Applicant Signature: _____

Printed Name: _____

Date: _____

**STATE OF WEST VIRGINIA,
COUNTY OF RANDOLPH, to-wit:**

I, _____, a Notary Public in and for said County and State, do hereby CERTIFY that _____, whose name is signed to the foregoing and hereto annexed writing, bearing date of the ____ day of _____, _____, for, _____ as its _____, has this day ACKNOWLEDGED the same before me in my said County to be the act and deed of said corporation.

Given under my hand this ____ day of _____, _____.

My commission expires _____.

Notary Public



APPLICATION FOR ZONING TEXT AMENDMENT

Elkins Planning Commission

Version adopted [redacted]

Name of Applicant: _____

Applicant Address: _____

Applicant Phone No: _____ Applicant Email: _____

Application Fee: \$100. (You will be billed separately for the cost of legal advertisement and notification posters, if applicable. All fees and costs are non-refundable.)

Commented [SS1]: Martinsburg charges \$500

Please carefully read and answer all questions on this application completely. Attach additional pages if necessary. Submit original and one copy of the completed application along with a copy of the deed and plat (if applicable) to the Office of the City Clerk.

1) Section of Zoning Code to be Amended:

2) Summary of Proposed Text Amendment (an additional sheet may be attached):

3) Intention of Proposed Text Amendment:

Please note that, in order to recommend that City Council approve a zoning amendment, the Planning Commission must make the following findings regarding the zoning amendment change sought.

- Whether such change is consistent with the intent and purpose of this Ordinance;
- Whether such change is consistent with the Elkins Comprehensive Plan;
- The areas which are most likely to be directly affected by such change and in what way they will be affected; and
- Whether the proposed amendment is made necessary because of changed or changing social values, new planning concepts or other socio-economic conditions in the areas and Zoning Districts affected.

Attestation:

The applicant shall provide their name, complete mailing address, and telephone number above. If this application is submitted on behalf of a corporation, partnership, trust, or other entity, written documentation authorizing the applicant to act on behalf of the owner(s) shall be attached.

With my signature below, I hereby certify that all information provided in this application, and in all documents, statements, maps, and exhibits submitted with it, is true and correct to the best of my knowledge and belief. I acknowledge that zoning amendments require an application fee and may require legal advertisement and/or posting of notice on the subject property, as required by law. I understand that I must pay the application fee and will be billed separately for the actual cost of any required publication and/or posting and that payment of all of these costs is required before the application may be scheduled for public hearing or further consideration.

Applicant Signature: _____

Printed Name: _____

Date: _____

STATE OF WEST VIRGINIA,

COUNTY OF RANDOLPH, to-wit:

I, _____, a Notary Public in and for said County and State, do hereby CERTIFY that _____, whose name is signed to the foregoing and hereto annexed writing, bearing date of the ____ day of _____, _____, for, _____ as its _____, has this day ACKNOWLEDGED the same before me in my said County to be the act and deed of said corporation.

Given under my hand this ____ day of _____, _____.

My commission expires _____.

Notary Public