



City of Elkins

Planning Commission Meeting

April 9, 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 March 12, 2026
4. **Reports**
5. **New Business**
 - a. Review informal feedback on the Comprehensive Plan draft
 - b. Plan public presentation of Comprehensive Plan draft
 - c. Consider recommending Council approval of draft policy and forms for Zoning Amendment Requests
6. **Announcements**
7. **Adjournment**



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	April 9, 2026
Section:	Minutes
Category:	Action Item
Agenda Item Name:	Proposed minutes for the meeting of March 12, 2026
Recommended By:	City Clerk
Summary:	Minutes proposed for the referenced meeting
Fiscal Impact:	n/a
Recommendation:	Consider for approval
Attachments:	1. Planning Commission - 2026_03_12 - minutes_proposed

PLANNING COMMISSION MEETING MINUTES

*West Virginia Wood Technology Center/RCDA
10 Eleventh Street
March 12, 2026
4:00 p.m.*

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

Also present: S. Stokes (City Clerk and Recording Secretary), G. Roberts (City Attorney), and C. DeMuth (WVU Land Use and Sustainable Development Law Clinic).

MINUTES

Marco **MOVED APPROVAL OF THE MINUTES FOR THE MEETING OF FEBRUARY 12, 2026.** The motion carried.

NEW BUSINESS

a. Review, discuss, and consider draft comprehensive plan

DeMuth incorporated commission feedback into the draft comprehensive plan.

b. Recommend approval to move forward with the comprehensive plan adoption process

No action was taken initiating the adoption process as discussion determined some additional steps to take first.

c. Review, discuss, and consider the comprehensive plan adoption process schedule

The commission tentatively devised the following schedule for initial steps leading to initiation of the formal adoption process.

WVU delivers final draft	March 20
Circulate Comp Plan and PPT to Council informally via email	Deadline for comments: April 3
Public presentation	April 16, 6 p.m., Phil Gainer Center
With informal feedback from public/Council, Commission meets to address input, start process	PC meets May 14 to update any changes, motion to start the process and plan subsequent timelines.

The meeting adjourned at 4:51 p.m.

Name & Title

Signature



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	April 9, 2026
Section:	New Business
Category:	Action Item
Agenda Item Name:	Review informal feedback on the Comprehensive Plan draft
Recommended By:	City Clerk
Summary:	A document summarizing substantive feedback from city officials is attached. The Planning Commission is asked to consider whether to update the draft based on this input, prior to initiating the adoption process.
Fiscal Impact:	n/a
Recommendation:	Consider adding suggested information and text
Attachments:	1. Comprehensive Plan Feedback from City Officials_v2

Comprehensive Plan Feedback from City Officials

April 9, 2026

Comment received from Councilor Severino:

As with so many discussions and efforts, there is a lot of focus on downtown Elkins businesses and the downtown area in the Comprehensive Plan. I know having a thriving downtown is important, but we seem to mostly ignore other businesses, especially those located along Randolph and Harrison Avenue. There's not a lot in the Plan that takes into account the needs of businesses outside the downtown area or address issues with the most heavily traveled visible areas of Elkins. There's some discussion on pages 74-75. I feel more things, like property reinvestment, should be looked at on an Elkins level not just Downtown level.

- On page 61 the property incentive and reinvestment ideas give priority to downtown. I personally would rather it be an "Elkins" program if implemented.
- An example of a highly traveled and visible area that is concerning are some sections of the sidewalks and stairs used by students walking to school on Wilson Hill.

Comment received from Chief Water Operator Wes Lambert:

Please add:

"A significant portion of Elkins' water line infrastructure is between 40 and 60 years old, with some sections exceeding 80 years in age. The City's water distribution system includes approximately 80 miles of pipeline. While this level of aging infrastructure requires attention, it is not uncommon across West Virginia. In fact, much of the state's water and sewer infrastructure has received a D rating from the American Society of Civil Engineers (ASCE).

"The City is currently working with an engineering firm to design and implement a phased replacement plan. Priority areas will be identified based on factors such as historical break frequency, infrastructure age, and capacity for future growth. One of the primary challenges associated with this effort is funding. Any major capital improvements will likely require rate adjustments, as existing revenues primarily cover operations and maintenance costs, along with debt obligations from the 2015–2018 water treatment plant project.

"In addition, the City must prepare for increasingly stringent regulatory requirements from the Environmental Protection Agency (EPA). These may include new treatment standards or infrastructure upgrades with firm

compliance deadlines. At the national level, current regulatory focus is centered on PFAS and lead service lines. While we have not detected PFAS and have not identified any lead service lines to date, future changes in testing sensitivity or regulatory thresholds could alter this status and potentially result in significant costs for compliance.”

The remaining information you outlined in the water system section also aligns well with the known needs and concerns of our system so I would leave them in the plan as well.

Comment Received from Councilor Bross-Fregonara:

There is a need for additional staffing in code enforcement to have an effective rental registration program. There were two code enforcement employees, now there is only one. It was apparent when the new zoning ordinance was passed that the city would need extra manpower. Unfortunately, it is back to one officer whose plate is very full.

Action step pg. 23 Objective 2. FYI Tree board is exploring a dead/dying tree removal voucher system for \$500 to assist homeowners who have been cited with a hazardous tree violation.



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	April 9, 2026
Section:	New Business
Category:	Action Item
Agenda Item Name:	Plan public presentation of Comprehensive Plan draft
Recommended By:	City Clerk
Summary:	Planning for the 4/16, 6 p.m. public presentation at the Phil Gainer Community Center.
Fiscal Impact:	n/a
Recommendation:	Consider and make recommendations for the event
Attachments:	1. Elkins Open House Flyer



COMPREHENSIVE PLAN OPEN HOUSE

Join us for an Open House to view and provide input on the proposed updates to the city's comprehensive plan. You can view the draft comprehensive plan here:

<https://cityofelkinswv.gov/comprehensive-plan-2026/>

6 PM-Thursday, April 16, 2026

**Phil Gainer Community Center-
142 Robert E. Lee Avenue Ext**

Please attend to share your thoughts and help guide Elkins future.



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	April 9, 2026
Section:	New Business
Category:	Action Item
Agenda Item Name:	Consider recommending Council approval of draft policy and forms for Zoning Amendment Requests
Recommended By:	City Clerk
Summary:	The Commission is requested to recommend the attached policy and forms to Council for official approval.
Fiscal Impact:	n/a
Recommendation:	Consider for recommendation to Council
Attachments:	<ol style="list-style-type: none"> 1. zoning change process policy - 2026_03_14 2. COE PC_zoning map amendment - 2025_12_12 - presented 3. COE PC_zoning text amendment - 2025_12_12 - presented

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, district standards, definitions, or procedural requirements. A text amendment does not alter the zoning classification of any specific parcel(s) 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 only to the specific 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. These amendments receive heightened scrutiny when it appears that they may confer a private benefit absent a public purpose (see “Position Regarding Spot Zoning,” above).

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.

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 City Council, with any associated fees or costs borne by the City.

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 appropriate 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, and all required attachments. The application fee must be paid to the Office of the City Treasurer. Applications will not be docketed for Planning Commission review until all required materials have been submitted and the application fee has been paid. (Additional costs, such as for legal advertisements or public notice postings will be billed separately at actual cost.)

Step 3: Administrative Review

The City Clerk and/or other appropriate 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 in accordance with W. Va. Code § 8A-7-9, 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.

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(a), the Planning Commission will forward a written recommendation to City Council to approve, approve with modifications, or deny the application.

Step 7: City Council Consideration and Action

City 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.

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 City 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 for possible recommendation to Council at a regular meeting of the Planning Commission, unless additional process is required by law or directed by the Commission. Upon a recommendation by the Planning Commission, Council action to implement the recommended change requires passage of an ordinance at two separate Council meetings at least one week apart.

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 City 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
 - City 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.

8. Assistance and Contact Information

The City Clerk and other City staff may provide guidance regarding application completeness, meeting schedules, and the applicable statutory process, but cannot provide legal advice or guarantee approval of any proposed amendment. Applicants have the right to consult with and be represented by legal counsel throughout this process. However, when an applicant is represented by counsel, ethical considerations may limit the ability of the City Clerk or other staff to communicate directly with the applicant, and communications may instead need to occur through the applicant's attorney.

**Office of the City Clerk
401 Davis Avenue, Elkins, WV 26241
304-636-1414, 1211
suttonstokes@cityofelkinswv.gov**



APPLICATION FOR ZONING MAP AMENDMENT

Elkins Planning Commission

Version adopted

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

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.)*

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 _____