

Chapter 5a – The Land Use and Growth Management Plan

The Land Use and Growth Management Plan Goals

Development Based on Water Availability

- High growth areas should be directed to areas currently served by public water and areas projected to be served by public water within the next fifteen (15) years.
- Low density growth areas would utilize on site well and septic systems. Density would be determined by the ability of groundwater systems to support development.
- Regulations should be established to protect historic and archeological sites, sensitive stream bank areas and water resources.

Provide Critical Infrastructure Planning and Protection

- Promote growth management strategies that provide for the protection, coordination and implementation of critical infrastructure such as water, wastewater, energy, communication, and transportation.
- Plan and preserve corridors for communications, wastewater, water supply and transportation infrastructure.
- Provide for riparian buffers.

Growth Management Implementation Tools

- Establish land use controls through the adoption of subdivision and land development ordinances.
- Designate land uses in the County.
- Provide consistent definitions for county land uses.
- Provide development standards that are reasonable and encourage development consistent with the land use plan.

Parks and Recreation

- Identify and provide for active and passive recreational/open space opportunities that will enhance the quality of life for all the residents of Berkeley County.

Annexation and Eminent Domain

- Provide for coordination of growth management policies with proposed boundary changes to avoid changes in future growth management strategies and visions.

Identify and Revitalize Brownfields

- Provide guidance for redeveloping and revitalizing “brownfield” areas as a means of preserving “greenfield” areas.
- Provide for mixed use opportunities.

The Land Use and Growth Management Plan Summary

This plan establishes an overall direction for managing growth in Berkeley County with the goal being to accommodate orderly growth and development while preserving the rural character of Berkeley County. The Land Use and Growth Management Plan provides a general framework for managing growth by identifying areas appropriate for growth and those that should be protected. If managed properly, growth will have positive benefits for current and future residents. This will require coordination with

transportation improvements and the provision of public utilities. It will also require sensitivity for the county's natural resources.

Land Use and Growth Management Plan Profile

Introduction

Berkeley County is a community in transition from a rural agricultural based community to a more suburban community. It continues to experience the growing pains of rapid development. The County is not alone. The entire Eastern Panhandle of West Virginia, and nearby counties in Virginia, Maryland and Pennsylvania have also seen growth in residential and commercial development. Growth in Berkeley County has been stimulated by many factors including, land prices and mortgage rates, good transportation that provides access to employment, an above average economy, and the attractiveness of the county's rural character and natural environment.

However, growth pressures are impacting the quality of life in Berkeley County. The fact that many residents are from outside the area has interjected other thoughts as to how the county should grow. However, all seem to agree that the quality of life is a central concern. Berkeley County is especially vulnerable to negative impacts of unmanaged growth because there are few growth management tools available to the planners and government leaders of this county.

The development of land use data is only one aspect of the inventory phase of planning projects in the community. Identifying how land is used is an extremely important part of the process, as land resources continue to be developed. This is important in communities such as Berkeley County where land development and population growth have been a focus of the comprehensive planning process. Land use is of much interest in the development of the comprehensive plan since it forms the basis for many decisions pertaining to transportation, parks and recreation, open space, natural resource preservation and housing. While each is integrated, land use forms the foundation upon which much of the other community development components are based.

Growth management develops a spatial framework for future development in Berkeley County. It can be implemented through a variety of strategies that are further outlined in the plan to achieve the land use goals and objectives outlined. The 2006 Plan envisioned the adoption of zoning in the county, which was defeated by a vote of the residents in 2010. Zoning is the most effective tool in managing growth within the county, but as the residents have spoken on the issue, other options need to be explored if growth management is going to occur, which many residents desire, according to survey results and public hearing comments.

Existing Land Use

Topography and natural resources play a significant role in the development of both historic and contemporary land uses in the county. The ridge and valley patterns in Berkeley County have been responsible for land use patterns in the county. The valley formed by North Mountain on the west and the Opequon Creek and Jefferson County on the east form an area that was cleared by early settlers for agricultural activity and to take advantage of the rich agricultural soils in the valley. The other valley formed by North Mountain and Third Hill Mountain is known as Back Creek Valley.

The early economy of Berkeley County was based upon agriculture and Martinsburg became the local market center. Transportation links in the 19th century began to open up the county to outside influences. First the Chesapeake and Ohio Canal system followed by the railroad improved access and created linkages to outside economies.

The Civil War had a big impact on Berkeley County. As a transportation corridor the railroads were prized by both the Union and Confederacy. Destruction from the Civil War slowed development in the area for many years. Following reconstruction the area started to see a shifting economy from agricultural to more industry. Textile mills formed the basis of this new industrial revolution in Berkeley County.

Additional improvement to the transportation network continued to influence land use patterns. Additional highways enabled residents to travel greater distances to their work, school and social destinations in less time. This flexibility has eventually led to scattered development throughout the county.

In most communities, early commercial and industrial uses were located in towns and villages where transportation resources and employees were available. As the scale of these operations increased and downtown real estate values increased these uses began to locate on the urban fringes where vacant land was abundant and land costs were lower. This led to uses being located on the urban fringe surrounding existing communities and business centers. Today we find commercial and industrial complexes in suburban and rural areas where transportation access is available and land is less expensive to develop.

The biggest impact on communities and certainly on Berkeley County was the interstate highway program. The construction of I-81 through Berkeley County and the improvements to other highways in the County have had a profound impact on the movement of people and goods in and through the county and on the land use patterns that have evolved for this highways system.

Berkeley County's more recent growth is largely a phenomenon of its location in the heart of the four state region of West Virginia, Virginia, Maryland and Pennsylvania. This region is experiencing enormous growth moving outward from the Washington D.C. area. Until recently, much of this growth was confined to Maryland and northern Virginia. However, as housing and land costs have escalated in those areas, developers and home buyers have continued to search for affordable housing. During the past 20 years Berkeley County has continued to grow, though not as much in the recent decade, in regards to housing and in the commercial sector in order to support the new residents. Berkeley County has become a popular destination for those seeking good housing and also the lure of open spaces.

Each of these factors has stimulated extensive growth in the county which is taxing the county's entire support system, including transportation systems, water resources, schools and wastewater treatment. Furthermore the county's widely expanding sewer and water facilities have made the county an extremely attractive location for new housing development.

Land Use Data

Berkeley County occupies approximately 205,497 acres or 320 square miles. Historical land use data has been compiled in Table 5-1 below. Current land use information for this 2016 plan update was not readily available. Information was pulled from a variety of sources, when available, while other data was estimated based on historical data or calculated using existing information. These numbers are listed in Table 5-2 below. Compiling land use data can be challenging due to a variety of reasons. One of those reasons is that some agricultural data is proprietary. While acreage totals are made available through census data, the actual location of these acres is not readily available which makes the mapping of agricultural acreage a challenge. The Chesapeake Conservancy and the United States Geological

Berkeley County Comprehensive Plan Update June 2016

Survey agencies are compiling land cover and land use data for Berkeley County that will be available fall of 2016. It is recommended that land use trends be evaluated utilizing this data.

Table 5-1 Historical Land Use Data Summary

	1960s	1970s	1980s	2000 Data		
Classification	Acres	Acres	Acres	Acres	% of Total	Square Miles
Agriculture	115,835 ¹	84,591 ¹	85,877 ¹	39,485 ²	19.21	61.68
Barren				68 ²	0.03	0.11
Developed Areas (minus transportation)	3,851 ¹		7,710 ¹	45,122 ²	21.96	70.48
Extractive Quarries				24 ²	0.01	0.04
Forested Areas				115,368 ²	56.14	180.20
Open Water			844 ¹	460 ²	0.22	0.72
Transportation	778 ¹		1,977 ¹	3,961 ²	1.93	6.19
Wetlands			1,372 ³	1,007 ²	0.49	1.57
Total	202,240¹	202,240¹	202,240¹	205,497	100.00	320.99

(Source: ¹1990 comprehensive plan; ²2006 comprehensive plan; ³1987 National Wetlands Inventory Mapping)

Table 5-2 Existing Land Use Summary 2012

Classification	Acres	% of Total	Year & Data Source
Agriculture (non-woodland)	53,969	26	2012 USDA Census
Agriculture (woodland)	16,191	8	2012 USDA Census
Forested Areas	113,023	55	2008 WVDOF
Barren			To Be Determined Fall 2016
Developed Areas			To Be Determined Fall 2016
Extractive Quarries			To Be Determined Fall 2016
Open Water			To Be Determined Fall 2016
Transportation			To Be Determined Fall 2016
Wetlands			To Be Determined Fall 2016
Total	205,497	100	

(Source: varies as listed in table-bold represents data available; non-bold represents a calculation)

Developed Areas

Developed areas include residential, commercial, and industrial development that has occurred in the county. Developed areas occur mostly in the valley between North Mountain and the Opequon Creek/Jefferson County border with major concentrations of development along I-81 and US Route 11. A closer inspection of the 2006 Existing Land Use map indicates concentrations of developed areas from north to south starting with Falling Waters areas in the north of the County, development along the Route 9 corridor from I-81 west to Hedgesville, the greater Martinsburg areas and development patterns from Martinsburg south to Inwood and the Virginia border roughly along the I-81 and Route 11 corridors. The corridors of Routes 45, 9, and 51 from US 11 to Jefferson County are also each well developed. Outside of the I-81 corridor areas the biggest concentrations of development occurred in the Marlowe and Falling Waters areas and in the Inwood area.

Since transportation is integral to all developed land uses, these lands are usually limited to large scale transportation corridors. Highways rights-of-way, interchanges and service facilities are included in this category. Local roads that service towns, villages and subdivisions are typically not separated but included in the developed areas land use mapping. Transportation facilities occupy approximately 4,000 acres of land or about 2.0 percent of the total land area of the county. The Eastern West Virginia Regional Airport was included as a developed area rather than a transportation land use because of its integral use for commercial and industrial development.

Undeveloped Lands

Berkeley County is developing rapidly and there are large amounts of land that have been subdivided and could be developed in the future. However, monitoring the portions of the land area in Berkeley County that remain undeveloped and the implementation of growth management recommendations in this comprehensive plan can guide the county towards preserving undeveloped resources in the county and managing the growth that does occur.

Forested Areas: The forested areas of Berkeley County are significant and are now viewed as a recreational resource. This forested open space, a combination of public and private lands, dominates land use in Berkeley County. In 2006 115,368.1 acres or 56 percent of the county was reported as being forested area. This has remained virtually unchanged with 55 percent of Berkeley County being forested area, according to 2008 West Virginia Division of Forestry data. This is the largest single land use in Berkeley County. Much of the forested areas are located on North Mountain and Third Hill Mountain and the Sleepy Creek Wildlife Management Area. Many of these areas are either owned by the State of West Virginia (Sleepy Creek) or have steep slopes that make development difficult.

Agriculture: Agricultural lands are those lands dedicated to the production of crops and livestock and to the support of these operations. According to the 2012 USDA Census, Berkeley County has 53,969 acres of non-woodland agricultural land plus 16,191 acres of woodland agricultural land. This indicates Berkeley County has a total of 70,160 acres or 34 percent of land in the county being used as agricultural land. Much of the agricultural areas occur in the valley between North Mountain and the Jefferson County border since these are the areas that are underlain by the valley's limestone and have the richest soils for agricultural production. Concentrations of agricultural activity occur in the northeast part of the county from Route 9 north to the Potomac River, and west of I-81 and North Mountain is the location of many of the county's fruit orchards which have made the county a leading fruit producer in both West Virginia and in the United States.

Wetlands and Open Water: Wetlands and open waters are a small part of the land cover in Berkeley County. They account for less than one percent of the total acreage in the county but are valuable resources that need to be considered when evaluating future plans for the county.

Historical Comparisons and Trends

As communities grow their land uses change. Properties are sold, subdivided and developed. This is certainly true in Berkeley County which has seen continued development activity over the past decade.

In the 1990 Berkeley County Comprehensive Plan there is an illustrated map of major areas of urbanization in Berkeley County. This map shows nodes of development around certain areas in the county including Martinsburg, Marlowe, Falling Waters, Whittings Neck, Baker Heights, Eastern West Virginia Regional Airport, Tabler Station, Darkesville, Inwood, Ridgeway, Gerrardstown, Glengary, Jones Springs, The Woods, and Hedgesville.

What occurred between the 1990 and 2006 comprehensive plan can be seen in the 2005 Existing Land Use Map. These development nodes still existed but they were blurred by the development that linked each of these nodes to one another. There are continuing ribbons of development along I-81 and US 11 running from the northern boundary of the county along the Potomac River to the southern boundary in Virginia. Also there are east-west ribbons of development along WV 45, 9 and 51 and the eastern boundary with Jefferson County.

Land Use Regulatory Measures

Land use is controlled and managed by land use regulations as provided for in Chapter 8A of the West Virginia Code. Chapter 8A provides for a variety of measures that can be employed by county and local municipalities to manage and control their land use including zoning and subdivision and land development.

Berkeley County: Berkeley County adopted their current comprehensive plan in 2006. This document established plans and recommendations for future development in Berkeley County. Berkeley County has no county-wide zoning. However, the County has had a subdivision and land development ordinance since 1975. This ordinance was revised in 2004 and revised again in 2009. This ordinance is used by the Berkeley County Planning Commission to manage the subdivision of land and land development of individual properties. However, it does not manage the uses of land that can occur in the county.

County Building Code: Berkeley County utilizes building codes which are administered by the Berkeley County Engineering office. The County utilizes the 2009 International Residential Code and the 2012 International Building Code.

Other Areas of Berkeley County with Zoning Regulations: There are two neighborhood zoning ordinances in Berkeley County which have zoning in place and are administered by the Berkeley County Planning Commission.

- The Tuscarora Community Zoning Ordinance was prepared in cooperation with the Tuscarora Community Citizens Advisory Committee and was adopted in September, 1975. This is an area west of I-81 at Exit 13 and extends north and south of the Tuscarora Pike.
- The Windewald Neighborhood Zoning Ordinance was prepared in cooperation with the Windewald Neighborhood Citizens Advisory Committee and was adopted in September, 1975. This is an area immediately to the south of the City of Martinsburg and to the north of Apple Harvest Drive.

Other Ordinances: There are a few other ordinances in Berkeley County monitored by the Berkeley County Planning Commission.

- The Airport Protection Noise Ordinance was prepared to limit height of objects and to regulate placement of certain structures within specific areas of noise level around the Eastern West Virginia Regional Airport.
- The Exotic Entertainment Ordinance was prepared to regulate proximity of these businesses to schools, churches, and residential neighborhoods.

City of Martinsburg: The City of Martinsburg has a comprehensive plan that was adopted in 2007. The City also has a zoning ordinance and subdivision and land development ordinance which are administered by the city staff, within the city limits of Martinsburg.

Town of Hedgesville: The Town of Hedgesville finalized a comprehensive plan in 2013.

The Growth Management Map

The Growth Management Map focuses on the future use of land throughout the Berkeley County. It depicts the key land use concepts outlined in this plan. The purpose of the map is to ensure compatibility between existing and future development in the county. It also provides the necessary flexibility to allow initiative and innovation to flourish.

The Growth Management Map divides the county into various categories that reflect current land uses, as well as the underlying policies of this Comprehensive Plan. The foundation for the growth management categories in Berkeley County is the availability of water. Areas where public water facilities are in place or are planned over the next fifteen years have been designated to accommodate growth in the county.

Growth Management Land Use Categories

The future land use categories shown on the Growth Management Map are described in the following sections. They include Town Centers, Industrial Investment Centers, Growth Areas, Rural/Low Density Residential Areas, Natural Resource Protection Areas, and Planned Community. The categories are derived from the traditional patterns of development in Berkeley County in order to organize development and investment in a way that compliments those patterns, provides for sufficient land to meet future needs and builds upon the future expansion of public services throughout the county. The availability of public water will continue to be the main “driving force” that will stimulate new, higher density development activity in the county, low density and rural development is targeted for those areas that fall outside of the water services areas.

Town Center/Urban Core: The Town Center/Urban Core land use category includes the City of Martinsburg, the Town of Hedgesville, Inwood, Spring Mills and Marlowe. Martinsburg is designated as the primary Town Center/Urban Core area. From a traditional market and transportation center, it has grown into the governmental, education and service center of Berkeley County. It continues to grow through annexation. Continued revitalization of Martinsburg is vital to the future health and well being of the entire county.

Industrial Investment Centers: The Industrial Investment Centers category focuses on the need to identify areas best suited for industrial development in Berkeley County. It includes both existing area devoted to industrial development, as well as new areas that provide for the expansion of existing and the relocation of new businesses. A primary goal of this category is to coordinate the proposed development of new areas with new infrastructure investment to ensure a seamless interface between the county’s economic development initiatives and the ability to provide shovel ready sites for any business desiring to expand into the County. The decision made by Procter and Gamble in 2015 to locate a new manufacturing facility in Berkeley County is a good example of this coordination. Areas devoted to industrial development include Eastern West Virginia Regional Airport, Tabler Station Business Park, Falling Waters Industrial Center, Spring Mills Business Park, Cumbo Yard Industrial Park, the Exit 20 area, and the Liberty Business Park. In addition, several areas with good rail and highway access have been targeted for future industrial investment. Appropriate uses in the Industrial Investment Centers would include light industrial, heavy industrial, commercial, office parks, and warehousing.

Growth Areas: This area comprises a large part of Berkeley County. These areas are characterized by family housing on smaller lots. Housing is mostly single family detached but there are also town homes, garden style apartments, and other styles of higher density housing. These areas are or will be served by public water and public sewer service. They are automobile oriented communities with some amenities, such as sidewalks and recreational facilities. It is important to recognize that these areas are where most of the county’s population growth has occurred. They will continue to support substantial growth, as there are a large number of subdivision plans that have been approved, as well as plans for expansion of water supplies.

However, the future land use plan has placed boundaries around these areas based upon the availability of supporting public water facilities. Available areas should be able to accommodate population estimates for the county for many years to come, while concentrating infrastructure investment into these areas. Appropriate land uses in the growth areas include single family homes, multifamily homes, institutional uses, recreational uses and neighborhood commercial development.

Planned Community: A planned community provides for a mix of residential housing and commercial use. It is based on a master plan that guides the location and mix of development. A planned community will often provide its own infrastructure for water, wastewater and transportation. Examples of planned communities within Berkeley County are the Planned Unit Developments. A few new PUDs within the county include Potomac Station PUD, Spring Mills PUD and Stonecrest PUD.

Rural Areas: Designated rural areas are intended to be protected and to contribute substantially to the quality of life in Berkeley County. They offer an alternative experience to those lands set aside for the growth areas. The Rural/Low Density Residential Areas of Berkeley County are made up of traditional family farm operations, commercial agricultural operations, open spaces, forests, low density residential areas, and natural resource production operations. The purpose of this area is to delineate those portions of the county where a rural living environment is the desired and most appropriate use. It also delineates those areas that will not be served by public water or sewer but will instead rely upon on-lot or small community systems. The Rural/Low Density Residential Areas designation will help preserve the county's existing agricultural community and resources and also meet the needs and desires of Berkeley County residents to continue a rural tradition in many parts of Berkeley County. Proposed land uses in the rural residential areas would include large lot single family detached housing, recreation, agricultural operations, and natural resource production.

Natural Resource Protection Areas: The purpose of this land use category is to identify unique landscapes and environmental resources, as well as to identify areas posing severe constraints on land development. These areas include steep slopes areas, flood plains, wetlands, surface waters, woodlands, park lands, and other public lands.

Planning Strategies and Population Forecasts

Future needs in Berkeley County will depend largely on the size and composition of its population. Therefore, reasonable population projections are needed for the County. There are a few projections available for Berkeley County. This section reviews available projections and compares them with census data in order to validate a projection for the Comprehensive Plan.

Available Population Projection Sources

Berkeley County Commercial and Solid Waste Facility Siting Plan: This Plan was last updated in February 2012 by the Berkeley County Solid Waste Authority. The Plan utilizes the population projections prepared for the 2011 West Virginia Solid Waste Management Plan, which indicate a total increase from 2015 through 2035 in Berkeley County's population of approximately 28.5 percent. Population projections were also utilized within the Plan from the Regional Research Institute at West Virginia University and indicate that the population of Berkeley County may increase to about 166, 382 residents by the year 2035.

HEPMPO Long Range Transportation Study (2014): The Hagerstown-Eastern Panhandle MPO developed population projections as part of the Long Range Transportation Plan. Their projections were developed

for 2040 and used a number of sources, including historical population changes from U.S. Census, regional projections from Woods and Poole Economics, and county level data provided by Maryland Department of Planning. According to these projections, the county will have a population of 140,613 by 2040.

Public Service Water District Countywide Facilities Management Plan: A 20-year plan is targeted to be completed for this Agency in 2016. The water district residential growth rate projections obtained from WVU College of Business and Economics and used for this plan are as follows: 2015-2020: 1.3%; 2020-2025: 1.29%; 2025-2035: 1.19%.

Conclusion

A review of the available data indicates that Berkeley County is continuing to grow at one of the fastest rates in West Virginia and the region, but the growth has slowed in recent years. While most projections range from 1% to 3% per year, historically the most accurate projections from 2006 to 2014 appear to be the HEPMPO population projections. As history illustrates, the annual rate of growth can change quickly. However, considering the data available, the projected annual growth rate of 0.0117 will be used for the purposes of estimating the future needs of Berkeley County and updating this comprehensive plan. Table 5-1 lists these population projections.

Table 5-1 Comparison of Population Projections for Berkeley County

Source	Projected Annual Increase	2010 Census Estimate	Projected 2010 from 2006 Comp Plan	2014 Census Estimate	Projected 2026	Projected 2036	Projected 2046
HEPMPO Long Range Transportation Plan	0.0117	104,169	105,722	110,497	127,049	142,721	160,327
Berkeley County Commercial Solid Waste Facility Siting Plan	0.01425	104,169	99,726	110,497	130,946	150,848	173,776
Berkeley County Schools Comprehensive Educational Plan	0.0118	104,169	100,006	110,497	127,200	143,032	160,835
PSWD Countywide Facilities Management Plan	Variable	104,169	93,394	110,497			

2006 Land Use and Growth Management Plan Action Strategies

This section of the plan outlines the strategies and tools recommended to meet the guidance provided in the Growth Management Map. The action strategies include a variety of planning initiatives that promote growth in designated areas and the preservation of the rural areas of the County. The Goal for Growth Management is to accommodate orderly growth and development while preserving the rural character of Berkeley County.

Desired Outcomes:

- Implement effective land use controls and regulations to manage the impacts of growth.
- Ensure that land use is consistent with available water.
- Establish a county wide system of growth areas to direct growth and preserve rural resources.
- Encourage residential, commercial and industrial growth to locate in growth areas.
- Provide for alternative land use preservation measures.
- Integrate new development with traditional patterns of growth.

Water Availability Land Use Plan

Throughout the development of the 2006 Comprehensive Plan there was widespread community support for stronger growth management and land use controls in Berkeley County, while at the same

time maintaining an individual's property rights. The development and implementation of an effective zoning ordinance was advocated to provide the Berkeley County Planning Commission and the County Council with a necessary tool to achieve the goals for growth management and target areas for development that can be supported by the necessary infrastructure. Following the adoption of the 2006 Comprehensive Plan, a zoning ordinance for Berkeley County was developed. However, the residents opposed to the ordinance successfully forced a referendum, which was defeated in a 2010 vote. Therefore, the most utilized tool for the implementation of a growth plan is not available to the County, but there are other tools that can be utilized to help direct growth.

Much of the development that has occurred in Berkeley County has been stimulated by the ready availability of public water. The Public Services Water District has plans to continue to expand public water service in Berkeley County. Areas that will be provided with public water service over the next 20 years have been identified in Chapter 8, The Infrastructure Plan. This water service distribution network has been largely driven by the sensitivity of groundwater in Berkeley County. Groundwater in the limestone (karst) terrain of Berkeley County is highly sensitive to ground water extraction from individual wells. Expansion of the public system will help to protect this essential resource.

Land use based upon water availability will allow for higher densities in those areas that will have public water. Also these areas will be expected to support much of the commercial and industrial development that will occur in the county. Areas that will not be serviced by public water will require on site development of wells and on-lot septic systems and will have lower densities. These will be determined by the ability of groundwater supply to support individual well systems.

Develop Alternatives to Zoning

Chapter 8A of the West Virginia Code provided Berkeley County with the authority to pursue the preparation of a Zoning Ordinance, however, as noted above the residents of the county voted overwhelmingly not to adopt zoning. Therefore, in order to implement the Growth Management Plan, additional strategies will need to be developed to encourage development within designated growth areas. Coordination with the Public Service Water District and the Public Service Sewer District is needed to focus improvements and expansion of these services only in areas designated for growth.

Develop Supporting Groundwater Studies

Groundwater is a very sensitive resource in Berkeley County. Much of the County is underlain by limestone (karst) geology. The quality and quantity of groundwater in these areas is highly sensitive to manmade development impacts, including storm water runoff and groundwater well development. The Subdivision Regulations need to be sensitive to groundwater resources in the county and needs to reference the most current and accurate data available.

Develop Land Use Policy Education Program

During the preparation of the 2006 plan and this update it was clear there is a need for public education about the need for land use controls and their true impact on the county and private property. There is always a significant amount of confusion about the things land use controls can and cannot control. In order to develop and implement effective land use controls in the county it is imperative that educational and public forums need to be organized and conducted. The program needs to be centered on the facts that our waters need to be protected for the health and safety of our residents and while it may negatively impact some properties in the County, the regulations are actually preserving the future of Berkeley County.

Effective Land Use Implementation Tools

The following land use tools will play an important part of effective growth management in Berkeley County and should be considered in the implementation of the Growth Management Plan.

Update Subdivision and Land Development Regulations

Berkeley County currently has a subdivision and land development ordinance as provided for in Chapter 8A of the West Virginia Code. This ordinance was rewritten in 2009 and presently there are developments being processed under the 2009 and 2004 regulations as well as a few under the 1975 regulations. These ordinances and directives govern the subdivision of land and how development will occur. They also provide specific guidelines for the construction of infrastructure such as streets, open space, location of parks and the placement of utilities. Berkeley County is working to continually update the regulations to meet the needs of the county. In spring 2015, the Berkeley County Council approved and issued an Order granting a three-year extension on Vested Preliminary Plans that were outstanding and incomplete in their construction as of July 2015. This Order extended those Preliminary Plan approvals to June 30, 2018, if payment of an extension fee and a written request were received by the specified deadline. In July of 2018 submitted plans will be required to comply with the current Subdivision and Land Use ordinance in place at that time. The intent of these ordinances and orders is to encourage more effective and innovative development techniques that will assist in meeting the demands of our growing county and preserving the county for future residents.

The implementation of the 2010 Storm Water Management and Erosion and Sediment Control Ordinance was a big step taken to preserve the water within the county. These regulations, to a large extent, were the result of the Federal effort to preserve the waters of the Chesapeake Bay. They require quality and quantity control of stormwater for all development projects within the county and are similar to those being implemented for all development within the watershed of the Chesapeake Bay. This watershed encompasses areas from Virginia to New York, including portions of West Virginia and all of Berkeley County. A new Storm Water Management and Erosion and Sediment Control Ordinance will be in place early 2016 in order to encompass MS4 requirements within the ordinance.

Traditional Neighborhood Development (TND)

The primary goal of the traditional neighborhood development concept is to recreate small town character in new developments. It is a smart growth technique that takes themes from our past development practices and applies them to today's development. TND creates a diversified community that incorporates mixed uses in pedestrian oriented design. Public spaces, narrow streets and architectural codes can all be part of this innovative land design concept. Without zoning, the goal would be to incorporate the concept within the subdivision regulations as an option for designing development. TND can be used for new development as well as the redevelopment of older communities. It has become increasingly popular throughout the country and many developers have embraced the concept as a smart growth and economically successful tool to develop land and revitalize communities.

Agricultural Land Preservation

Agricultural land preservation is a subject that many jurisdictions, including Berkeley County have embraced to help preserve the rural farming character of the county. There are many tools available to preserve agricultural land, including the purchase of agricultural land easements from farmers by a governmental entity or private land trust. The public or private entity pays for the development rights of the land and a conservation easement is established, which allows the farmer to gain the financial value

of the land and ability to continue farming in exchange for the extinguishing of development potential. The Berkeley County Farmland Protection Board currently performs this function in the county. It is an effective method to preserve farmland, but is limited in the amount of land it can preserve because of the limited public funds that are available to purchase easements.

Preventing Neighborhood Deterioration

Communities often overlook the preservation of an area as an improvement of their existing neighborhoods. While property maintenance is a job for each individual property owner, some properties for a variety of reasons deteriorate and detract from the neighborhood community. Blighted properties can severely discourage new investment in a neighborhood. Berkeley County has adopted building codes and the International Property Maintenance Code, which sets some minimum standards that a property owner must follow in order to reduce property deterioration.

Town Centers

The Town Center/Urban Cores of Martinsburg and Hedgesville should be revitalized for the purpose of attracting appropriate commercial services and investment. However, one needs to remember that these areas are governed by their own governments and regulations, but the county should offer assistance and encouragement and recommends they consider the following tools be used for revitalization efforts.

Redevelopment Planning and Implementation Programs: Establish planning and implementation programs that focus on redevelopment and improvement. Merchant groups, property owners and the municipality would work together to plan and implement redevelopment programs such as street and pedestrian improvements, streetscape improvement, façade treatments, and similar improvements meant to create a theme and provide visual improvement to the City or Town.

Link Mobility and Access with Development Patterns and Design: Provide for movement of goods and services, while at the same time providing safe and convenient access to the downtown area. Access management tools should be used to provide coordinated access, along with protected crosswalk areas and traffic calming principles. Also provide for adequate off-street parking.

Promote Pedestrian Access: Make the Martinsburg area safe for pedestrians. Provide for well marked and safe crosswalk areas, improve sidewalk systems, institute good streetscapes that beautify and also provide well marked pedestrian ways that link to parking areas, Use traffic calming principles to slow down vehicle traffic in areas where they are in contact with pedestrians. The subdivision regulations and design standards should be used to foster these improvements.

Infill with New Buildings: These new building designs would be sensitive to the buildings' surroundings and design guidelines would be provided for that will enhance community themes.

Promote Mixed Use Development to Create Livelier Communities: Encourage the mixed uses and traditional neighborhood development principles to guide development to Martinsburg. While these centers need to function as business and cultural centers, they also need to provide opportunities for alternative housing, dining, and nice retail businesses.

Develop subdivision and other ordinances dealing with land development in such a manner as to allow and encourage traditional neighborhood character: Provide provisions in the subdivision ordinance and other land use regulations that will facilitate development and redevelopment in growth areas.

Brownfield/Land Recycling: Berkeley County, the City of Martinsburg and Hedgesville should work together to establish a core group of planning and land recycling experts to work together to facilitate the redevelopment of former industrial and commercial sites within their respective jurisdiction. These sites should be identified and prioritized and determined how the jurisdictions can work together to redevelop sites for the betterment of the jurisdictions and county as a whole.

Rural Planning Strategies

Maintaining rural areas in Berkeley County is one of the major objectives of this Growth Management Plan. Throughout the planning process, there has been general consensus that the comprehensive plan should develop strategies to preserve rural areas in the County. Many Berkeley County residents either remain in the county or were attracted here because of its rural amenities. Their loss would significantly reduce the overall quality of life in Berkeley County.

The Growth Management Map designates Rural/Low Density Residential Areas and Natural Resource Areas. These are the areas targeted for preservation and limited growth.

Many of the action strategies in this growth management plan are meant to place development in designated areas and protect rural areas of the county from further encroachment. A number of strategies exist, which will help sustain the county's rural communities by maintaining the integrity of its rural resources.

Use of Village Centers: Direct growth to village centers in the rural areas. These centers are not intended to stimulate growth but rather to capture growth that might occur and service the local areas. This type of development should have the highest priority in the County's rural areas.

Scale of Development: Limit to the scale of development as it relates to the rural community.

Public and Institutional Uses: Direct public and institutional uses to the designated growth areas on the county. This would include public agencies, private institutions, and large educational facilities such as high schools, which would strongly influence the rural community.

Rural Businesses: Provide for existing rural businesses to expand through either infill or on-site expansion.

Rural neighborhoods: Focus future residential development in areas where it currently exists on subdivided land or those adjacent to subdivided land. In addition, development should be at densities consistent with the surrounding area and supportable by on lot water and wastewater systems.

Annexation

Annexation has and continues to be used in West Virginia by municipalities, who wish to extend public services to growing unincorporated areas adjacent to their municipal boundaries. In Berkeley County, the City of Martinsburg has acquired substantial portion of the unincorporated land to the west of I-81 known as the West Side.

The growth management plan urges that future annexations be well coordinated between municipalities and the County to insure there is consistency with the growth management strategies this plan as well as comprehensive plans for Martinsburg and Hedgesville. These include:

- Coordination with identified growth areas.

- Consistency with infrastructure expansion including water, sewer and transportation.
- Consistency with adjacent land uses.
- Consistency of subdivision and land development standards such as road, lot sizes, storm water, and pedestrian facilities.

Implementation

The ability to implement the growth management plan will depend largely on the ability and steadfastness of the county to follow through on the action plans. However, the county cannot accomplish these strategies alone. They will require building partnership and coalitions with other public and private entities to meet the goals and objectives of this growth management plan. The following actions will need to be undertaken to ensure good implementation:

Education and Outreach: The main obstacle to good planning in communities is the lack of knowledge and misconstrued facts and ideas. These can be dispelled through an ongoing program of education and outreach. Successful implementation requires public officials, property owners, developers, and the general public to “buy into” good planning principles. The growth management plan previously proposed an education and outreach program for adopting the proposed county wide zoning ordinance. However, this effort failed and zoning is no longer an option for the foreseeable future. Another program that has worked with the public and stakeholders is to continually review the plan and make revisions to reflect the changing character of the county and its residents. Some of the activities that can be used might include:

- Ongoing workshops on timely issues and topics
- Involving others, public and private sector, as part of the coalition building
- Utilize the media effectively to get the word out about current activities and action.
- Dedicate a part of the County’s website to comprehensive plan strategy topic and initiatives
- Prepare and distribute a Berkeley County Planning Commission newsletter that provides timely information on current topics, initiatives and implementation of the comprehensive plan.

Capacity building – staff: The successful implementation of the comprehensive plan will create new expectations for the staff of the Berkeley County Planning Commission. The County needs to assure there is sufficient staff capability to implement the plan. In addition, the planning commission should create partnerships with other public and private organizations to assist with implementing the strategies on the plan. Important steps would be to hire specialists to address special needs of the plan such as subdivision and land development, rural preservation, funding resources, grants preparation to name a few.

Build partnerships and coalitions: This plan recognizes that Berkeley County cannot undertake or implement all of the initiatives in this plan. However, the action strategies in this plan provide the opportunity to build better partnerships and coalitions to work together to improve the Berkeley County Community. These organizations can included but are not limited to:

- The City of Martinsburg
- The Town of Hedgesville
- Berkeley County Farmland Protection Board
- West Virginia Department of Highways
- Hagerstown/Eastern Panhandle MPO
- Berkeley County Public Service Water District
- Berkeley County Public Service Sewer District

- Berkeley County Solid Waste Authority
- Berkeley County Historical Society
- West Virginia Development Office
- Berkeley County Development Authority
- Berkeley County Fire Service Board
- Region 9
- Local Realtors
- Land Developers
- Eastern Panhandle Home Builders Association
- West Virginia Department of Environmental Protection
- West Virginia Department of Natural Resources
- Berkeley County School District
- Martinsburg-Berkeley County Parks and Recreation Board
- Surrounding Counties in West Virginia, Maryland and Virginia
- Academic Partners—West Virginia University and Shepherd University

2016 Land Use and Growth Management Plan Highlights

- Water availability continues to be the primary factor in the density of growth areas.
- Water quality is becoming an increasing concern, whether it is in regards to clean drinking water, MS4 stormwater compliance or the protection of the pristine waters of the Back Creek watershed.
- Additional research and data compilation needs to be completed in order to analyze existing land use and determine the extent of the growth management risks over the next ten to twenty years.
- Developing alternatives to zoning continues to be a challenge for growth management.
- Land use policy education has more options now with the availability of information via the internet and easier access to current plans through agency links and other electronic communication tools.

Looking Forward to 2026

Growth in Berkeley County over the last twenty (20) years has been significant. For most of the period it was one of the fastest growing areas of the state and the country. While the overall economy caused a significant slow-down, growth is still one of the highest in the state. If the trends continue, as they have towards scattered development, the goals and objectives as set forth in the Growth Management Plan will continue to be at risk.

Implementation of the growth management action strategies presented in this chapter is essential to accommodate future growth in the areas for which it is designated and restrict development from the areas where preservation is the goal. It is essential that each of the partners identified in this plan move to work together quickly on implementing the action strategies and tools outlined in the plan in order to maintain the quality of life in Berkeley County we all want and enjoy.