September 14, 2020

BRIDGEPORT PLANNING COMMISSION MINUTES
City of Bridgeport
County of Harrison
State of West Virginia

OPEN MEETING - CALL TO ORDER
The Bridgeport Planning Commission meeting was called to order at 4:03 p.m. on Monday, September 14, 2020 in Council Chambers of the Bridgeport Municipal Complex located at 515 West Main Street by President Rod Kidd.

BOARD MEMBERS PRESENT
President Rod Kidd, Vice President Doug Gray, Members Robert Greer, Andrea Kerr and Patrick Jeffers.

BOARD MEMBERS ABSENT
Jolie Carter and Philip Freeman.

CITY STAFF PRESENT
Mayor Andy Lang, City Attorney John Ashcom and Secretary to the Commission Staci Unger.

OTHERS IN ATTENDANCE
Jeff Toquinto, Connect-Bridgeport

APPROVAL OF MINUTES
Minutes of the August 17, 2020 Bridgeport Planning Commission meeting were approved unanimously, as presented, on a motion by Member Gray seconded by Member Greer.

UNFINISHED BUSINESS
• None

NEW BUSINESS
1. Consider and act on amending, enacting and reenacting sections 1303.04; 1315.005; 1315.05 and 1315.06 to regulate through planning and zoning the location of medical cannabis dispensaries; medical cannabis growing facilities and medical cannabis processing facilities within the corporate limits of the City of Bridgeport.
   • Member Kerr explained that in 2017 the State of WV passed the Medical Cannabis Act which authorizes, under limited conditions, the use, possession, growing, processing and dispensing of cannabis for serious medical conditions.
• Member Kerr further explained that in 2019 the Medical Cannabis Act allowed the WV Bureau of Health to issue patient and caregiver identification cards necessary to obtain medical cannabis beginning on July 1, 2019.

• Member Kerr advised the board members that the current zoning ordinances for the City of Bridgeport do not specify where medical cannabis can be grown, processed or dispensed.

• City Attorney John Ashcom stated that as drafted, the proposed ordinance would allow –
  2. Processing Medicinal Cannabis – Zone I1.
  3. Dispensing Medicinal Cannabis – Permitted as a special use in Zone B2, with a variance approval from the Zoning Appeals Board.

• City John Ashcom explained the State of WV is responsible for ensuring all regulations and conditions are met before a permit is issued and has placed some restrictions such as –
  1. A dispensary may not be located within 1,000 feet of a public school, daycare center, private school or parochial schools.
  2. Growing and processing of medicinal cannabis is only allowed to take place indoors in an enclosed and secure facility.

• Member Greer asked if a public hearing was required before approving this ordinance and sending it to City Council. Secretary to the Commission Staci Unger confirmed that a legal notice was published for a public hearing for this meeting.

• Member Gray inquired if by allowing medical cannabis dispensaries to operate within city limits, would that open the door to facilities that allow on-site, non-medicinal usage of cannabis.

• Member Greer responded by stating that the Planning Commission can only regulate what is currently allowed under the state legislature which permits medicinal cannabis be dispensed with a prescription, through a licensed dispensary and that other, non-medicinal uses are not legal in WV.

• Member Greer made a motion to hold a public hearing on this proposed ordinance on November 2, 2020. Motion was seconded by Member Gray and passed unanimously.

2. Consider and act on adding an application fee to Planning Commission requests.

  • Member Kerr explained the following proposed fees for Planning Commission requests –
<table>
<thead>
<tr>
<th>Major Boundary Adjustment/Subdivision</th>
<th>$100 1-4 lots/$100 + $25 per lot for 5 parcels or more / $1000 max fee</th>
</tr>
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<tbody>
<tr>
<td>PUD Concept</td>
<td>$2500</td>
</tr>
<tr>
<td>PUD Amendments</td>
<td>$2500</td>
</tr>
<tr>
<td>Rezoning Commercial or Residential</td>
<td>$100</td>
</tr>
<tr>
<td>Zoning Map Adjustment Commercial or Residential</td>
<td>$100</td>
</tr>
<tr>
<td>Zoning Text Amendment</td>
<td>$500</td>
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</tbody>
</table>

- Member Kerr stated that the proposed fees would off-set the costs of plan reviews, legal notices for public hearings, postage for certified letters, map amendments, recordation fees and legal fees to prepare or amend ordinances.

- Member Gray expressed concern that the PUD fees may discourage developers from coming to the city.

- Member Greer asked why the City of Bridgeport wanted to start charging for these items since they have not charged for them in the past.

- Member Kerr answered that the majority of the requests, aside from the PUD Concept and Amendments, are for the benefit of individual businesses or residents but city tax money is used to cover the expenses related to the request.

- Member Gray made a motion to accept the proposed fees and to submit to City Council for review and approval. Motion was seconded by Member Greer and passed unanimously with Member Greer abstaining.

CLOSE MEETING
Meeting was adjourned at 4:30 p.m. on a motion by Member Gray, seconded by Member Greer, and was unanimously approved.

Rod Kidd
President

Prepared by Staci Unger
Secretary to the Commission

Bridgeport Planning Commission Minutes
09/14/2020