

## **NOTICE OF PUBLIC HEARING / SPECIAL MEETING**

THE HARDY COUNTY COMMISSION will hold a Special Meeting for the purpose of a public hearing on the **17<sup>th</sup> day of July, 2019 at 10:00 AM**, in the Hardy County Commission Meeting Room located at 204 Washington Street, Moorefield WV 26836.

The purpose of the public hearing is to hear comments on the proposed Text Amendments to the Zoning Ordinance concerning Slaughter Operations.

A copy of the proposed amendments (see below) are available in the Hardy County Clerk's Office, 204 Washington St, Room 111, Moorefield WV 26836; (304-530-0250); the Hardy County Planning Office (304-530-0257) in the basement of the Courthouse, located at the same street address.

Following the Public Hearing the Hardy County Commission MAY vote on the approval or denial of the Zoning Ordinance Text Amendments.

The proposed language is as follows:

### **REVISION TO ARTICLE II – DEFINITIONS:**

#### **Additions:**

**Slaughterhouse** - shall include, but not be limited to, all buildings, structures and facilities used in or related to the slaughtering of animals or poultry for human consumption

**Slaughterer** – a licensed entity or licensed individual engaged in slaughtering animals or poultry for human consumption.

**Commercial slaughterer** - a licensed individual or licensed entity engaged for profit in this state in the business of slaughtering animals or poultry for human consumption which are to be sold or offered for sale through a commercial retail outlet or establishment, and shall include a entity who in addition to such commercial slaughtering also engages in the business of a custom slaughterer; - Small = 1-500 animal per year, Medium = 501-1000, Large = 1001 – 5000, Extra Large 5000+ animals per year.

**Custom slaughterer** – a licensed individual or licensed entity engaged for profit in this state in the business of slaughtering animals or poultry for human consumption which are not to be sold or offered for sale through a commercial retail outlet, commercial establishment, distributor, or to an individual, and shall include the boning or cutting up of carcasses of such animals or poultry and the grinding, chopping and mixing of the carcasses thereof; - Small = 1-500 animal per year, Medium = 501-1000, Large = 1001 – 5000, Extra Large 5000+ animals per year.

**Processor** - a licensed individual or licensed entity who engages for profit in this state in the business of processing carcasses, meat products or poultry products for human consumption.

**Custom processor** - means a licensed processor in which the carcass, meat products or poultry products derived through processing cannot be sold or offered for sale through a commercial retail outlet, commercial establishment, distributor, or to an individual; Small = 1-25,000 poundage processed per year, Medium = 25,001-250,000, Large 250,001-1,000,000, Extra Large 1,000,000+ poundage processed per year.

**Commercial processor** - a licensed processor for commercial retail outlets or distributors and shall include the business of custom processing; Small = 1-25,000 poundage processed per year, Medium = 25,001-250,000, Large 250,001-1,000,000, Extra Large 1,000,000+ poundage processed per year.

**Distributor** - a person or entity licensed and engaged for profit in this state in the business where carcasses, meat products, or poultry products are received from state inspected establishments, or establishments inspected by the United States Department of Agriculture and who stores and distributes to commercial retail outlets, processors or individuals and who conducts no processing; Small = 1-25,000 poundage processed per year, Medium =25,001-

250,000, Large 250,001-1,000,000, Extra Large 1,000,000+ poundage processed per year.

### **REVISIONS TO ARTICLE III, SECTION 2 – AGRICULTURAL “A” DISTRICT:**

#### **Additions – To be authorized as Conditional Use:**

- Small commercial or custom slaughterhouse, and/or small commercial or custom processors, and/or small distributors engaging primarily in distribution of meat or poultry products produced on-site of the working farm (all as defined in this ordinance and by the state tax department). The operations must be located on-site of a working farm (5 acres and \$1000 annual production) or within 1000’ of the primary residence of the farm proprietor. Medium-sized operations meeting all conditions listed above may be allowed at the discretion of the Board of Zoning Appeals. All activities related to slaughter, processing, distribution, or sale of meat or poultry products must be conducted pursuant to all required local, state and federal licenses including USDA/WVDA Licensure. USDA/WVDA Licensure shall not exempt any person or licensee from the size/number/volume limitations as set forth in the definitions of this ordinance or elsewhere herein. The Board of Zoning Appeals shall set conditions including but not limited to establishment setback and size limitations, establishment design/configuration requirements, and establishment operational controls/limits, each as deemed appropriate for the specific location of each establishment.

### **REVISIONS TO ARTICLE III, SECTION 5 - COMMERCIAL “C” DISTRICT**

#### **Additions - To be authorized as Conditional Use:**

- Small or medium commercial or custom slaughterhouse, and/or small or medium commercial or custom processors, and/or small or medium distributors engaging in distribution of meat or poultry products (all as defined in this ordinance). All activities related to slaughter, processing, distribution, or sale of meat or poultry products must be conducted pursuant to all required local, state and federal licenses including USDA/WVDA Licensure. USDA/WVDA Licensure shall not exempt any person or licensee from the size/number/volume limitations as set forth in the definitions of this ordinance or elsewhere herein. The Board of Zoning Appeals shall set conditions including but not limited to establishment setback and size limitations, establishment design/configuration requirements, and establishment operational controls/limits, each as deemed appropriate for the specific location of each establishment.
- Any structure with a building footprint over 50,000 square feet. The Board of Zoning Appeals shall set conditions including but not limited to building setback as deemed appropriate for each individual operation locations.

### **REVISIONS TO ARTICLE III, SECTION 6 - INDUSTRIAL “I” DISTRICT**

#### **Omissions to Industrial District:**

- All text referring to slaughter and slaughter related operations – text shall be replaced with the more specific language below.

#### **Additions - Uses to be authorized as Conditional Use:**

- Small, medium, large, or extra-large commercial or custom slaughterhouse, and/or small, medium, large, or extra-large commercial or custom processors, and/or small, medium, large, or extra-large distributors engaging distribution of meat or poultry products (all as defined in this ordinance). All activities related to slaughter, processing, distribution, or sale of meat or poultry products must be conducted pursuant to all required local, state and federal licenses including USDA/WVDA Licensure. USDA/WVDA Licensure shall not exempt any person or licensee from the size/number/volume limitations as set forth in the definitions of this ordinance or elsewhere herein. The Board of Zoning Appeals shall set conditions including but not limited to establishment setback and size limitations, establishment design/configuration requirements, and establishment operational controls/limits, each as deemed appropriate for the specific location of each establishment.
- Any slaughter, processing, or distributing operations of meat or poultry products for non-consumption purposes. Any structure with a building footprint over 100,000 square feet. The Board of Zoning Appeals shall set conditions including but not limited to building setback as deemed appropriate for each individual operation locations.