

City of Charleston Planning Department 2013 Annual Report

Urban planning is both a technical and a political process focused on the use of land and the design of the urban environment. In Charleston, the effort to control growth and guide investment began in the late 1930s, when both West Virginia's State Capitol and Morris Harvey College settled permanently in Charleston. At that time, our first Municipal Planning Commission was created and our first Zoning Ordinance was adopted.

In 2013, the City of Charleston adopted its sixth Comprehensive Plan. Titled Imagine Charleston, the new comprehensive plan reflects the dreams of hundreds of citizens who participated in the effort to imagine a Capital City that enriches the lives of the people who live, work and play here today and for years to come.

Imagine Charleston is much more than a manual we reference when questions arise. The findings and recommendations in

Imagine Charleston guide our work in all aspects of land use and urban design. And Imagine Charleston's vision of our magnificent City and its neighborhoods motivates us and all of our partners in economic and community development, social service agencies, religious institutions, and private enterprises, to work each day to bring that vision to life. The following is a summary of our work in 2013.



the recreational, cultural,
and business capital of the
Appalachian Mountains

Our Mission:

To steward Charleston's Comprehensive Plan by creating and enforcing balanced development codes, engaging in economic and community development initiatives, and applying sustainable planning practices.

Our Work:

Manage day-to-day planning and zoning functions:

- > review site plans and issue zoning permits
- > coordinate subdivision applications
- > make floodplain determinations and issue permits
- > conduct compliance reviews for business license applications, including home-based businesses and ABCC licenses
- > maintain the official zoning map and perform other mapping projects as needed
- > provide technical support and assistance for other City departments and regional agencies
- > enforce the Zoning Ordinance
- > respond to citizen inquiries

Maintain a proactive neighborhood planning program:

- > participate in community planning and development efforts like the Charleston Land Trust and Neighborwoods
- > support local neighborhood associations, business coalitions and Main Street programs

Provide staff support for various Boards and Commissions:

- > Municipal Planning Commission
- > Board of Zoning Appeals
- > Historic Landmarks Commission
- > Strong Neighborhoods Task Force
- > Planning Committee of City Council
- > Urban Renewal Committee of City Council

Our Team:

Dan Vriendt
Planning Director

Lori Brannon
Neighborhood Planner
Subdivision Coordinator

Geoffrey Plagemann
Neighborhood Planner

Mark Snuffer, CFM
Plans Reviewer
Floodplain Manager

Anjelic Farley
Zoning Administrator

Barry Stewart
Zoning Administrator

Debbie Bsharah
Junior Zoning Administrator

Marilyn Perine
Administrative Assistant

Our Partners:

Municipal Planning Commission

Gerry Workman, Chair
Aric Margolis, Vice Chair
Rod Blackstone
Mary Jean Davis
Rev. Braxton Broady
Jackie Rosencrance
Teresa Moore
Margo Teeter
Watson Terry
Chad Robinson
Angie Baker
Jesse Forbes
Danny Scalise
Jody Connell
JD Stricklen
Adam Krason
Christi Smith

Board of Zoning Appeals

Stephen Mallory, Chair
Courtlandt Smith, Vice Chair
Jim Lane
Bill Hairston
Charlie Roskovensky

Historic Landmarks Commission

Billy Joe Peyton, Chair
Terrell Ellis, Vice Chair
Jody Connell
Bill Melton
Paul Tenant

Strong Neighborhoods Task Force

Councilwoman Mary Jean Davis, Chair
Councilman Jack Harrison
Councilman Joe Denault
Councilwoman Mary Beth Hoover
Shawn Means
Pat McGill
Russ Young
Dennis Strawn
Ric Cavender
Stephanie Johnson
James Yost

Plans Review and Permitting

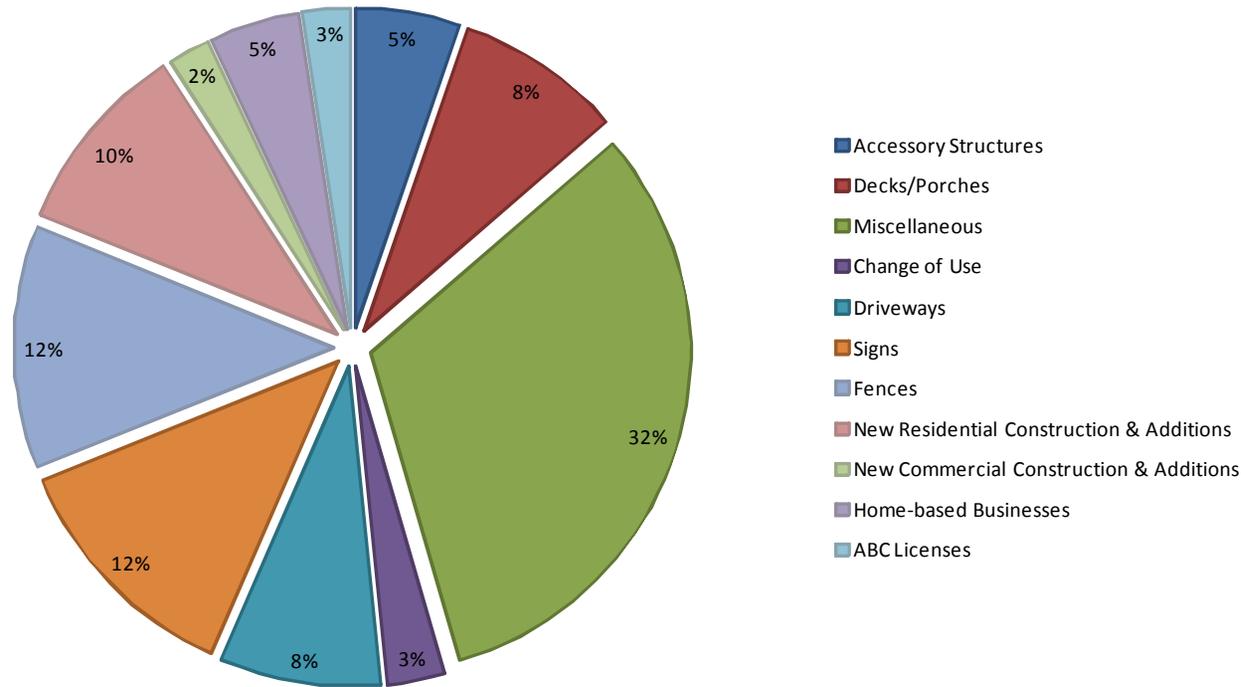
Site plan review is conducted by the Planning Department for all new construction, signage, temporary uses and changes of land use. This review process provides staff with the opportunity to examine site plans for compliance with land use, density regulations, parking and landscaping requirements set forth by the Zoning Ordinance.

Planning Department staff signed off on a total of 688 permits related to land uses in Charleston in 2013.

- > The number of zoning permits issued in 2013 represents a 7.5% increase from 2012.

- > Of the 688 Zoning Permits issued in 2013, fences and signs were the most frequently occurring.
- > "Miscellaneous" permits covered projects such as clearing and grading, steps and sidewalk modifications for accessibility, construction of retaining walls and gutter replacements.
- > 2013 saw a 72% increase in home-based business permits and a 41% decrease in permits for the WV Alcohol Beverage Control Administration.
- > Permits issued for new residential construction resulted in 27 new single

- family dwellings and 46 dwelling units in higher density residential buildings.
- > Permits for new commercial construction and additions in 2013 resulted in Charleston's first compressed natural gas fueling station, a new bank, and several new or expanded healthcare facilities including Charleston Area Medical Center's new Cancer Center, a new Med Express and an substantial expansion of the Eye and Ear Clinic of Charleston.



Zoning Enforcement

The Planning Department applies a fair and reasonable approach to zoning enforcement, encouraging compliance in a timely manner and aggressively prosecuting violators that refuse to cooperate. Zoning complaints are handled by one of the department's two zoning administrators. Complaints can be made in person, over the phone, or by email. Once a complaint is received, the zoning administrator conducts an inspection of the property to determine if a violation exists. In all cases, the identity of the person who reports the zoning violation remains confidential.

Some common violations receive special attention due to their adverse effect on neighborhoods. These receive a warning letter with 5 days to correct the violation. If the violation is not corrected within 5 days, a \$100 citation is issued. A second citation may be issued at \$200, a third at \$300, and multiple citations at \$500 as long as the violation is not corrected. Failure to pay citations within 10 days results in a notification to the DMV to suspend the driver's license.

In 2013, 208 such violation letters were distributed.

- > 91 for the open storage of inoperable vehicles
- > 37 for the open storage of recreational vehicles
- > 14 for parking on an unpaved surface

In 38 cases there was no response to the letters or the recipient was unwilling to comply with the zoning ordinance. Citations were issued to those property owners.

It is important to note that Zoning Administrators work with members of the community to resolve zoning violations outside of the court system. Many courtesy telephone calls are made each year to property owners who may be unaware of a violation or of a way to resolve it.

Board of Zoning Appeals

A five-member board established to consider requests to depart from the zoning regulations (variances), applications for conditional land uses (conditional use permits) and appeals of decisions rendered by the Planning Department staff and the Municipal Planning Commission. The BZA is a quasi-judicial body and their decisions may only be challenged in circuit court.

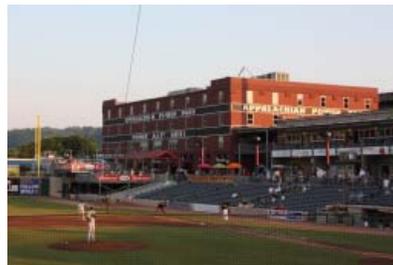
The BZA met 17 times in 2013 and considered 49 requests for action.

- > The BZA in 2013 heard 40 requests for **variance**.
- > One-third of all variance requests related to the number, size, type and height of signs in 2013. This was the most common area of interest in 2013.
- > Variances related to parking requirements were the second most common in 2013.
- > Variance requests related to setbacks (the distance by which a structure is separated from a right-of-way or property line), have steadily declined since the enactment of the current zoning ordinance in 2007. Once the most common area of requests, variances related to setbacks were the fourth most common in 2013.
- > Other variances requested in 2013 related to the height of fences, orientation and height of buildings, and alignment with neighborhood development patterns.
- > Several variance requests were negotiated to lesser variances rather than being fully approved in their original state, and 7 were denied in 2013.

A **Conditional Use** is permitted only if adequate conditions exist or can be imposed that will make the use compatible with the intent of the Zoning

Ordinance and the Comprehensive Plan, and if it can be determined that such use would not cause an adverse effect to people or property within the vicinity.

- > The BZA considered 9 requests for conditional use permits in 2013, equal to those considered in 2012.
- > Of those, 3 related to restricted accessory parking and 2 permitted the sale of alcoholic beverages for on-site consumption.
- > Other conditional use permits in 2013 resulted in the establishment of a gas well, a towing company and the expansion of a nursing home.
- > All requests for conditional uses were approved in 2013.



Municipal Planning Commission

A 16 member body that considers matters related to orderly growth and development in Charleston, including applications for rezoning, subdivisions, ordinance amendments, street and alley alterations, plans for developments of significant impact, and annexations. Through public hearings, the commission gives citizens an opportunity to voice their support for or concerns about proposed development. **In 2013, the MPC met 10 times and considered 25 requests for action.**

- > In 2013, the MPC considered 5 requests for **rezoning**. Of those, 2 changed a residential property to an alternate residential zoning district in order to allow for more dense housing development and/



or mixed use zoning, 1 rezoned a commercial property to a less restrictive commercial zoning designation, 1 rezoned a residential property for commercial development, and 1 eliminated an industrially zoned property by altering the zoning to a general commercial district.

- > The MPC approved 6 requests for street dedication and naming and one street renaming in 2013.
- > Two Developments of Significant Impact were reviewed and approved by the MPC: one permitted the development of 20 dwelling units on West Washington Street, and the other permitted a 60,000 square foot office development in Northgate Business Park.
- > The MPC reviewed and recommended approval of 2 **text amendments** in 2013. The first permitted adaptive reuse of nonresidential historic buildings in residential zoning districts as a conditional use. The second created policy allowing urban agriculture in the City of Charleston. Both bills advanced to City Council and were approved without opposition.
- > Two **rights of way** were closed upon the recommendation of the MPC in 2013.
- > Six **subdivisions** were considered by the MPC in 2013. Of those, one was a preliminary and final subdivision approved concurrently. Three received final approval, with one of those also being **annexed** into the City and having residential zoning established. One 11-lot subdivision received preliminary approval in 2013, and the MPC continued to monitor Phase IV of the Jamestown subdivision.
- > In addition to the **subdivisions** considered by the MPC, Planning Department staff coordinated the review of an additional 23 administrative subdivisions, up 27% from 2012.



Historic Landmarks Commission

A 5 member body that conducts design review for alterations and new constructions within the East End Historic District, applying the Secretary of the Interior's Standards for the Rehabilitation of Historic Structures. Members heard requests for Certificates of Appropriateness and worked with applicants to develop affordable solutions that maintain the character and integrity of the neighborhood and its historic structures.

The CHLC met 9 times in 2013 and considered 10 requests for action.

Again in 2013, the issues to come before the Commission were the replacement of original wood windows, changes in construction materials, the enclosure of rear porches, and driveways. All COAs were approved, some with modifications to bring the properties in line with the Secretary of the Interior's Standards for the Rehabilitation of Historic Structures.

Staff reviewed and approved minor work on 11 properties within the East End Historic District. These projects included repair and replacement of exterior features in like kind.

Thanks to the financial support of the State Historic Preservation Office and the Charleston Urban Renewal Authority, a well qualified historic preservation consultant is in the process of surveying and drafting a National Register nomination for the East End north of the existing historic district. Final listing of the district on the National Register of Historic Places is expected in the first quarter of 2015.

Neighborhood Planning

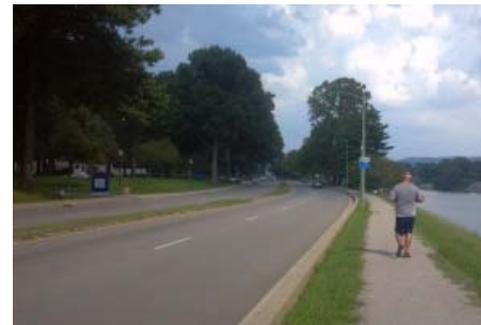
In addition to these regulatory functions, Planning Department staff also worked on the following proactive planning projects in 2013:

- > continued partnering with the city's two Main Street programs on projects related to community development, public art, business recruitment and special events.
- > coordinated a third round of the Peer to Pier public art project. Local artists painted murals celebrating West Virginia's 150th birthday on the twelve piers supporting Interstate 64 along Virginia Street.

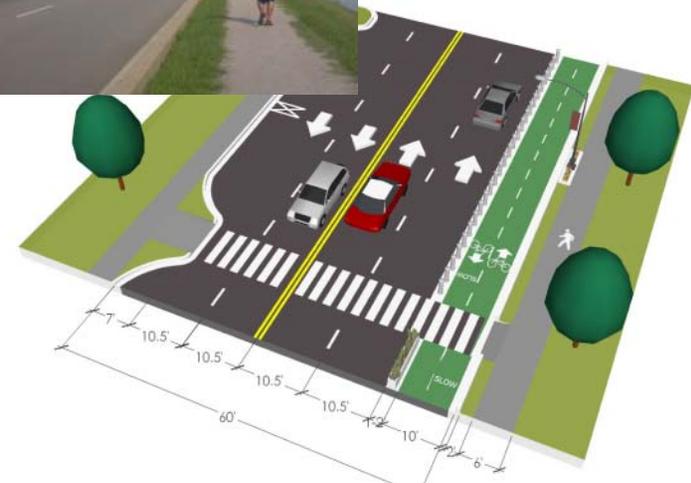


- > worked with City Council's Strong Neighborhoods Task Force and City Council to enact an adaptive reuse ordinance. Adaptive reuse refers to the process of reusing an old building for a purpose different than that for which it was built or designed. The new policy protects nonresidential historic structures in residential zoning districts by eliminating barriers to appropriate redevelopment.
- > worked with Strong Neighborhoods Task Force and City Council to enact an urban agriculture ordinance. The new policy promotes small-scale agriculture by allowing the raising of chickens and keeping of bees on residential lots, the creation of community gardens on publicly held property, and permitting aquaponics on commercial properties and publicly held properties in the City.

- > assisted the Kanawha City Community Association with the development of a Master Plan to enhance MacCorkle Avenue, with emphasis on pedestrian-friendly and landscaping features.
- > Upon adoption of Imagine Charleston, staff presented a summary of the new comprehensive plan to area neighborhood associations, Main Street programs, and civic organizations, including recommendations on how those organizations can play a role in plan implementation. These efforts will continue in 2014.



Included in Imagine Charleston is a redesign of Kanawha Boulevard that will encourage residents and visitors to make better use of our riverfront. Features include a dedicated, bi-directional bicycle lane and better pedestrian access to the trail and waterfront.





Imagine Charleston identifies and analyzes the City's physical elements to create a set of goals, policies and recommendations to direct decisions regarding future land use, neighborhood and transportation improvements, and special strategies for key areas in the City. It strikes a balance between the interests and rights of individual property owners and those of the entire community. The following is a list of goals set forth by Imagine Charleston, thanks to the participation of hundreds of Charlestonians.

Neighborhoods

Rehabilitate and maintain the existing housing stock and continue to enforce existing housing, rental, and maintenance codes to ensure neighborhoods remain strong and vital.

Emphasize home stewardship to promote home and property upkeep among renters, home owners and landlords.

Continue beautification efforts to emphasize neighborhood character and eliminate blight.

Promote appropriate and compatible infill development.

Adopt reuse strategies for vacant and underutilized properties and buildings.

Ensure traffic in neighborhoods are at appropriate speeds to make it comfortable for pedestrians and bicyclists.

Provide housing to match the varied needs and income levels of the present and future population with particular attention to housing in and near the downtown for college students and young professionals and a variety of housing choices to meet the changing needs of seniors.

Continue to build neighborhood identity through community organizing and physical improvements.

Transportation

Improve wayfinding for visitors and ease of circulation downtown.

Enhance safety and flow for vehicles and trucks.

Improve and promote public transit as a more viable alternative to driving.

Provide a network of bike trails and routes to make it comfortable and easy for people of all ages and abilities to walk or bicycle through the city and link with neighboring communities.

Provide a comfortable and well-maintained sidewalk and trail system, where physically practical, especially to access downtown, institutions and schools.

Improve safety through adequate street lighting that complements the character of the street.

Continue efforts to reduce the severity of flooding impacts.

Gradually upgrade sewer system to separate sanitary from stormwater, as funding permits, to increase capacity and reduce negative environmental impacts.

Be a regional leader in technology, promoting citywide WiFi and a centralized GIS database.

Quality of Life

Promote partnership development, community engagement, localized assessments, and strategic planning for policy and environmental changes that increase access to healthy foods and physical activity opportunities at the neighborhood level.

Promote and develop systems that support local food access through community gardening, farmers markets and urban agriculture.

Ensure adequacy and a high quality of municipal services.

Continue to build a strong partnership of public and private entities and citizens to support a greenway plan development and implementation.

Promote active lifestyles by maintaining outstanding parks and recreation facilities that offer a variety of recreation assets and programs in a safe, accessible environment.

Proactively market the city's assets through unified efforts by public/private/institutions with every resident acting as an ambassador for the city.

Promote "K through Gray" education and lifelong learning for personal fulfillment and a highly skilled workforce.

Reinforce Charleston's position as the region's entertainment and cultural destination.

Build upon existing successful social services efforts and recognize their role in building community stability.

Capitalize on Charleston's rich history as the state capital.

Downtown

A portion of Imagine Charleston provides a vision toward a sustainable future for our downtown. The dynamic framework for realizing that vision is the result of extensive and focused public participation and the support of the Charleston Urban Renewal Authority and Charleston Area Alliance.

Based upon widely-recognized principles of sustainability and 6 Big Ideas for Charleston, the downtown redevelopment plan will shape all future development and create an environment that will allow Charleston to continue to emerge as the cultural, recreational and business capital of the Appalachian Mountains.

1. Commit local resources for a successful downtown redevelopment.
2. Reshape the built environment of downtown Charleston.
3. Utilize Charleston's impressive history and river city location to leverage economic development.
4. Develop a district identity system for the downtown and contiguous retail and entertainment destinations.
5. Treat the urban core as an equally important Charleston neighborhood.
6. Establish a professional urban core management authority.

Imagine Charleston includes many great recommendations and an action plan for achieving these goals. Please visit www.imaginecharleston.com for more info.