

“Think of a city and what comes to mind? Its streets. If a city’s streets look interesting, the city looks interesting; if they look dull, the city looks dull.”

Jane Jacobs, *The Death and Life of Great American Cities*

*Photo: Charly Jupiter Hamilton’s West Side Wonder Mural in progress*



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  
Steve Blackwell  
Rev. Braxton Broady  
Mary Jean Davis  
Jesse Forbes  
Adam Krason  
Teresa Moore  
Nikki Moses  
Chad Robinson  
Jackie Rosencrance  
Danny Scalise  
Christi Smith  
JD Stricklen  
Margo Teeter  
Watson Terry

#### *Board of Zoning Appeals*

Courtlandt Smith, Chair  
Mary Jo Cleland  
Jim Lane  
Bill Hairston  
Charlie Roskovensky

#### *Historic Landmarks Commission*

Billy Joe Peyton, Chair  
Terrell Ellis, Vice Chair  
Adam Krason  
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 707 permits related to land uses in Charleston in 2014.

- > The number of zoning permits issued in 2014 represents a 2.8% increase from 2013.

- > Of the 707 Zoning Permits issued in 2014, 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.
- > Permits issued for new residential construction resulted in 19 new single family dwellings (down from 27 in 2013) and 32 dwelling units in higher density residential buildings.
- > Permits for new commercial construction

and additions in 2014 resulted in a new drug store, two new retail spaces, a three-story expansion of CAMC's Memorial Hospital and extensive improvements to the Charleston Town Center Mall and several downtown hotels.

## Zoning Enforcement

Zoning violations 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 2014, 185 such violations were addressed.

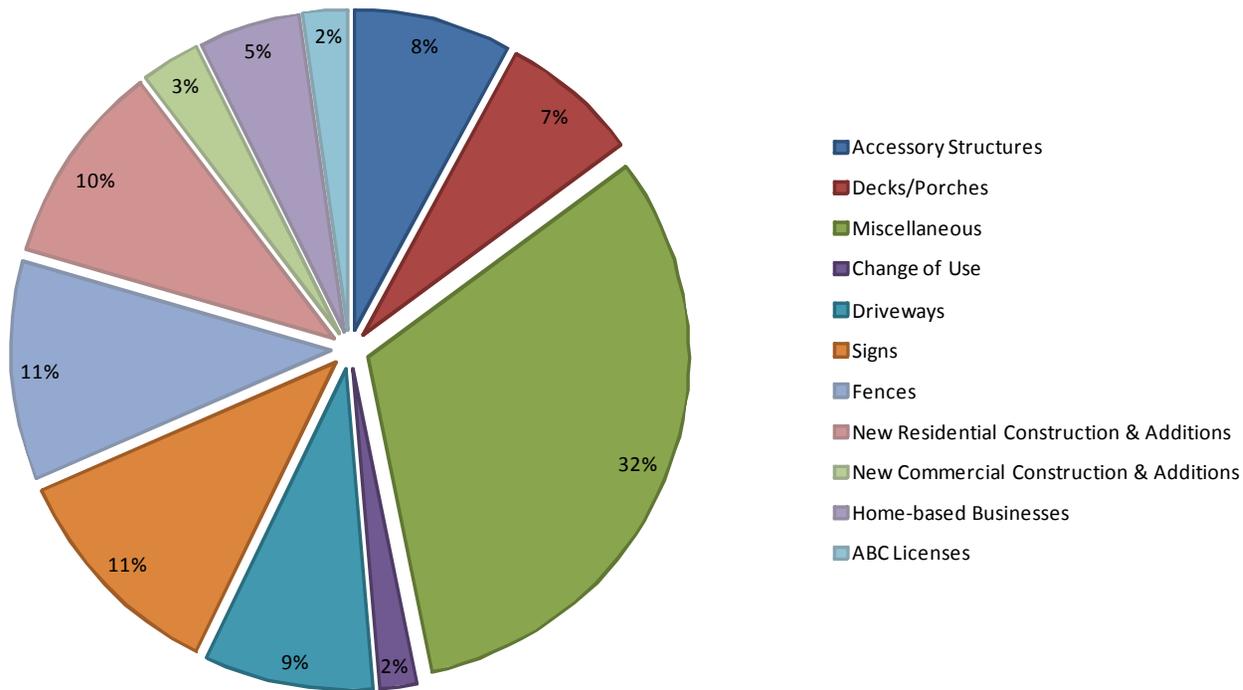
- > 101 for the open storage of inoperable vehicles
- > 32 for the open storage of recreational vehicles
- > 38 for parking on an unpaved surface
- > 14 for prohibited signs

In 27 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. All but 6 of those cases have now been resolved.

Additional violations were addressed outside this process in 2014. Those include:

- > 12 permit violations (permit holder conducted work not covered by their zoning permit)
- > 2 home-based business established without permits
- > 6 violations of the land use table
- > 7 accessory structures built without permits
- > 8 fence violations

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 18 times in 2014 and considered 33 requests for action.

- > The BZA in 2014 heard 26 requests for **variance**.
- > Variance requests related to setbacks (the distance by which a structure is separated from a right-of-way or property line) declined between 2007 and 2013 as a result of Charleston's updated zoning ordinance. In 2014 however, requests related to setbacks were back at the top of the list. One-half of all variance requests in 2014 related to setbacks.
- > Second on the list in 2014 were variances related to the number, size, type and height of signs. Of those, three requests related to the size of instructional signage permitted on larger parcels with campus-like settings.
- > The zoning ordinance prohibits accessory structures from being located in front of a principle structure. The BZA heard 2 requests for variance from this policy in 2014.
- > Other variances requested in 2014 related to the height of fences and driveway surfacing.
- > Of the 26 variances requested, 20 were approved, 2 were negotiated to lesser variances rather than being fully approved in their original state, 2 were denied and 2 were withdrawn.

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 6 requests for conditional use permits in 2014, down from 9 in 2013.
- > Of those, 2 permitted the sale and consumption of alcoholic beverages at East End restaurants.
- > Other conditional use permits in 2014 permitted a towing company, a new cell tower, a restricted accessory parking lot and the expansion of a nursing home.
- > All requests were approved in 2014.



## 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 2014, the MPC met 8 times and considered 13 requests for action.**

- > In 2014, the MPC considered 4 requests for **rezoning**. Of those, 2 recommended changing residentially zoned properties to commercial zoning. One rezoning was recommended for approval in order to rezone residential property on the outskirts of the City to a PMC Professional-Medical Campus. This zoning classification allows



for the unified and coordinated development of a large tract of land, in this case for the creation of a voluntary, private-pay addiction treatment center. These rezoning bills went on to be approved by City Council. The MPC considered a fourth rezoning request in 2014, to rezone a piece of property under the Corridor Village District overlay to the C-10 General Commercial District. This request was withdrawn by the applicant upon learning of community opposition during the MPC hearing.

- > The MPC approved 1 request for street naming and closed 1 alley in 2014.
- > One Development of Significant Impact was reviewed and approved by the MPC, allowing the development of 32 dwelling units in the downtown area. One Major Development of Significant Impact was reviewed and approved, allowing a 3-story expansion at CAMC's Memorial Hospital.
- > The MPC reviewed and recommended approval of 2 **text amendments** in 2014. The first permitted daycare facilities in the Residential-Office District. The second established a 90-day delay of the demolition of historic structures. Both text amendments went on to be approved by the City Council.
- > Two **subdivisions** were considered by the MPC in 2014. The first request was to further break down the fourth phase of the Jamestown subdivision. This request was denied. The second request, which was approved, permitted the sale and development of an 11-lot subdivision in South Hills.
- > In addition to the **subdivisions** considered by the MPC, Planning Department staff coordinated the review of an additional 21 administrative subdivisions, which either further subdivided or merged lots where no infrastructure development was required.

## 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 2014 and considered 13 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 16 properties within the East End Historic District (up from 11 in 2013). These projects included repair and replacement of exterior features in like kind.

In 2014 the CHLC also:

- > supported an initiative to expand the boundaries of the East End Historic District, making tax credits an option for the owners of more than 600 additional properties.
- > worked with the East End Community Association to design and approve gateway signage for the district, which will be installed at several prominent intersections near the borders of the district.
- > worked with the Strong Neighborhoods Task Force to draft and advocate for a demolition delay ordinance to be applied to officially recognized historic structures throughout the City.
- > met with the West Virginia Division of Highways on improvements to their

Smith Street facilities, advocating for the preservation of historic structures and sensitive design for new construction.

- > worked with the West Virginia Division of Highways to develop a mitigation strategy for the development of bike lanes on Kanawha Boulevard.
- > begun planning a West Side Historic Homes Tour to be conducted during FestivALL.



- > working with owners of local landmark Top-o-Rock on pending design competition.

## Neighborhood Planning

In addition to these regulatory functions, Planning Department staff also worked on the following proactive planning projects in 2014:

- > continued partnering with the city's two Main Street programs, the Charleston Area Alliance, the East End Community Association, the West Side Neighborhood Association and the Kanawha City Business Association on projects related to community development, public art, business recruitment and special events.
- > began the process of planning and fundraising for physical improvements to the streetscape and environment surrounding the murals painted on piers beneath Interstate 64.

- > worked with City Council's Strong Neighborhoods Task Force, the Charleston Historic Landmarks Commission and City Council to enact a demolition delay ordinance. The ordinance institutes a 90 day waiting period prior to the demolition of recognized historic structures, giving the community an opportunity to work with property owners



and developers to identify viable alternatives to demolition.

- > worked with East End Main Street and the East End Community Association on a redesign of Greenbrier Street between Washington Street and Kanawha Boulevard in an effort to promote pedestrian safety. Designs are nearly complete and funds are being sought for implementation.
- > worked with the Strong Neighborhoods Task Force to develop a registry for vacant structures. The ordinance adopted by City Council in 2014 requires the owners of vacant structures to register with the City and to pay a fee for the police and fire services necessary for the structure's and the neighborhood's protection. The fee increases the longer the structure remains vacant. The intent of the ordinance is not to collect fees, but to encourage property owners to return the structures to viability.

An added bonus of the registry—the Charleston Police and Fire Departments have access to a list of properties that they can monitor proactively.

- > Continued to promote Imagine Charleston, the City's comprehensive plan, to area neighborhood associations, Main Street programs, civic organizations, and City Council committees, including



recommendations on how those organizations can play a role in plan implementation. These efforts will continue in 2015.

- > Continued to work on data collection and construction of a citywide Geographic Information System. The Planning Department has begun using GIS for research and permitting purposes, allowing for greater efficiency in our service to citizens, local businesses, realtors, developers and more.



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 over the next 10-20 years. Please visit [www.imaginecharleston.com](http://www.imaginecharleston.com) for more info.*