

# City of Charleston Planning Department

## Annual Report 2023

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### ***Plans Review & Permitting***

Site plan review is conducted 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 478 zoning permits in 2023.**

- The number of zoning permits issued in 2023 represents a 9% increase from 2022.
- “Miscellaneous” permits covered projects such as site preparation, steps and sidewalk modifications for accessibility, generator installation, construction of retaining walls, and minor modifications to existing structures.
- The Planning Department reviewed and approved an additional 259 Municipal Business License applications in 2023.
- New residential construction permits issued in 2023 allowed for 8 new single family dwellings.
- Permits for new commercial construction in 2023 resulted in 2 general stores, 2 restaurants, and a day care facility.

### ***Zoning Enforcement***

The Planning Department staff includes two zoning administrators whose responsibility it is to address zoning violations throughout the City. Some violations are brought to their attention by concerned citizens while others are identified in the field. Please note that the identity of the citizen reporting a violation remains confidential. **In 2023, staff sent 185 notices of violation, representing a 16% decrease from 2022. In addition, 28 citations were issued to property owners who failed to respond.**

Violation	2022	2023
Open Storage	177	122
Surfacing	45	94
Signs	47	36
Fences	13	15
Accessory Structures	5	9
Unpermitted Land Use	9	10

### ***Boards & Commissions***

The Planning Department also provides professional guidance and staff support to multiple citizen boards and commissions. In addition to those detailed here, the department works with the Planning, Streets & Traffic and Urban Renewal Committees of City Council and the Charleston Land Reuse Agency.

#### **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, and street and alley alterations. Through public hearings, the commission gives citizens an opportunity to voice their support for or concerns about proposed development. **In 2023, the MPC met 8 times and considered 16 requests for action with the following results:**

- Approved 7 requests for rezoning. Of those, 2 assigned zoning designation to newly annexed properties. The other 5 upzoned residential properties to commercial zoning.
- Annexed territory along Presidential Drive and Stonehenge Road.
- Approved 1 Development of Significant Impact at 1661 West Washington Street and 1 Major Development of Significant Impact on Kanawha Boulevard, East for a complete redevelopment of the former CASCI site.
- Text amendments approved in 2023 updated the floodplain regulations, established rules for temporary construction fencing, and permitted 12 sq ft of digital sign area on freestanding signs. A text amendment proposing firearm sales establishments as a conditional use in the C-8 Village Commercial District was withdrawn by the applicant after consideration, and reconsideration, by the MPC.
- Abandoned a portion of public right-of-way around Hayes Avenue.
- Additionally, Planning Department staff coordinated the review of 17 administrative subdivisions, which further subdivided or merged lots where no infrastructure development was required. All were approved.

## Board of Zoning Appeals

A 5 member board established to consider requests to depart from the zoning regulations (variances) and applications for conditional land uses (conditional use permits). The BZA is a quasi-judicial body and their decisions may only be challenged in circuit court. **The BZA met 17 times in 2023 and considered 24 requests for action.**

The BZA in 2023 heard 16 requests for variance.

- Of those, 5 related to sign regulations and 5 related to accessory structures. Additionally, 4 variances related to parking, and 1 variance each related to fence height, density, setback, and lot coverage. The second most frequently requested variance related to setbacks. Others involved accessory structures, fence height, lot size, density, and spacing requirements.
- Four variance requests were the result of enforcement actions.
- Of the variances requested in 2023, 2 were denied. All others were approved as submitted or negotiated to lesser variances.

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 its vicinity.

- The BZA considered 10 applications for conditional use permit in 2023. Of those, 9 were approved and 1 was withdrawn by the applicant.
- Serving alcohol for on-premise consumption was the most common in 2023 with 5 requests. Others related to home-based businesses, temporary antenna for cell phone service, firearm sales, and a greenhouse.

## Historic Landmarks Commission

A 5 member body that identifies, studies, preserves and protects Charleston's historic landscape. To do so, the CHLC coordinates cultural resource surveys and nominates properties for listing on the National Register of Historic Places. This promotes tax credit eligibility in neighborhoods ripe for revitalization.

The CHLC also conducts design review within the East End Historic District, applying the Secretary of the Interior's Standards for the Rehabilitation of Historic Structures and design guidelines crafted and adopted by the CHLC and narrowly tailored to the East End. As a design review board, 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 7 times in 2023 and considered 10 requests for action.**

- The CHLC permitted demolition of 2 structures. One on Tennessee Avenue in the Elk City Historic District was denied, requiring the applicant to wait the full 90 days before demolition began. Another was approved on Quarrier Street in the East End Historic District. The building caught fire and was rendered uninhabitable and a threat to public safety. The neighbor, whose home had experienced damage from the fire, purchased the property and funded the demolition for use as a side lot and private garden.
- Other COAs addressed window and roof replacements, rear decks, front porch elements, and an extensive front addition.
- The CHLC conducted a review of National Register nomination of Tiskelwah, recommending approval to the WV Archives & History Commission.
- Staff reviewed and approved minor work on 14 properties within the East End Historic District in 2023. These projects included repair and replacement of exterior features in like kind.
- The CHLC successfully installed interpretive panels in the Luna Park Historic District, addressing the namesake amusement park, highlighting racial discrimination in housing, and honoring John C. Norman, a black man and early licensee in architecture in West Virginia. Norman designed 5 homes in Luna Park but was himself unable to live there due to racial restrictions placed on the property by developers.

## **Land Reuse Agency**

A 7-member body established in 2019 to return unwanted, abandoned, or distressed properties to productive use by identifying available properties suitable for public space, conservation, housing, and commercial use and pursuing acquisition, management, inventory, and disposition of those properties.

In 2023, the Charleston Land Reuse Agency nearly doubled its inventory of property for redevelopment and conservation, grown our parkland and greenspace by 16.5 acres, and taken the lead in supporting recreational trail development. Additionally, the agency:

- Adopted programs to incentivize home renovation and new construction for middle-income families with direct financial support.
- Developed a side lot program to help existing property owners get ownership of vacant side lots beside their homes for pennies on the dollar, helping them build equity and reinvest in their own neighborhood.
- Joined RCCR in breaking ground on the first single-family home redevelopment project on a CLRA Property in North Charleston.
- Grew the CLRA property inventory through donations, private party purchases, and tax delinquency auctions to more than 130 properties city-wide, nearly doubling the inventory of property for redevelopment and conservation.
- Accepted the donation of and demolished the Sugar Creek School Building removing a serious health and safety risk for neighbors with the goal of conveying the land to adjacent owners as Side Lots.
- Created, funded and hired the Land Reuse Coordinator position, the first full-time staff member to implement CLRA programing and property management.
- Developed and adopted the Home Ownership Property Renovation Revolving Loan Fund to provide sustainable, zero-cost capital to non-profit housing organizations to restore dilapidated houses for middle income residents.
- Developed a Side Lot program for implementation in 2024 to return previously abandoned vacant lots to existing property owners helping them build equity and value in one of their largest investments, their home.
- Developed a New Construction Incentive Program for implementation in 2024 to provide up to \$50,000 in cash incentive for building new single-family homes in the City of Charleston.
- Assisted the City of Charleston in the successful application for \$500,000 in WVDEP Dilapidated Properties Program funds to remove 50 abandoned and dilapidated structures.
- Contracted with Bowen National Research for a housing needs assessment for the City of Charleston and application for designation as a BUILD WV community. The designation as a BUILD WV community will unlock development incentives for all housing types citywide including new construction and renovation of existing structures. Completion of the assessment and program application will occur in early 2024.

## Attendance

Board of Zoning Appeals			Municipal Planning Commission		
Members	P	A	Members	P	A
Bill Hairston	1	0	Aric Margolis	7	1
Mary Jo Neenan	14	3	Quintie Smith	7	1
Mary Anne Crickard	17	0	Adam Krason	6	2
Josh McGrath	14	3	Shawn Taylor	7	1
Harper Gardner	13	4	Cory Stout	7	1
Todd Moore	3	3	Lisa Fisher Casto	8	0
			Mary Beth Hoover	5	3
Historic Landmarks Commission			JoEllen Zachs	7	1
Members	P	A	Alice Hypes	8	0
Billy Joe Peyton	7	0	Shannon Ferrari	8	0
Ken Sullivan	5	2	Justin Marlow	1	7
Lisa Fisher Casto	6	1	Terri Allen	8	0
Jennifer Pharr	3	4	Brady Campbell	4	1
Adam Krason	5	2	Doug Hartley	3	2
			Alex Zurbuch	3	2
			JD Stricklen	6	2
			Margo Teeter	2	1
			Terry Pickett	1	2
			Deanna McKinney	0	3

## Planning & Community Development Initiatives

**Outdoor Dining:** Mailed reminders, processed renewal applications, ensured insurances was in place and that the indemnification and hold harmless agreements were active.

**Mapping & Data Analysis:** Continued to provide mapping and data analysis for Team Up to Clean Up, grant applications, and a variety of other community development efforts throughout the City.

Revised the Corridor G map made available annually to all City staff for determination of which businesses are in which municipality.

**Vacant Structures:** Revised workflows, continued implementation, and managed billing for the Vacant Structure Registry.

**Floodplain Management:** Continued to work with Regional Intergovernmental Council to develop a 5-year hazard mitigation plan for Kanawha, Boone, Clay and Putnam counties.

Continued participation in the Community Rating System for lower flood insurance premiums.

Began targeted outreach to owners of flood-prone properties.

**Technical Assistance:** Provided technical support to the UC Labor Day of Service event including developing all mapping and coordinating supplies.

Coordinated with the Abandoned Properties Coalition on legislative initiatives relating to land reuse, tax delinquent properties, and redevelopment.

Served as a participating agency working toward an environmental impact statement for the Yeager Airport Runway Expansion.

Provided guidance, data, mapping, and letters of support for grant applications for funding projects throughout the city.

**Public Space Improvements:** Collaborated with the Office of Public Art on installations and events throughout the city.

Continued efforts to improve Ruffner Park & Cemetery.

Supported efforts to improve the public realm within the City Center Business Improvement District through participation in the BID's steering committee.

**Collaboration:** Abandoned Properties Coalition, WV Chapter of the American Planning Association, Regional Intergovernmental Council's Transportation Technical Advisory and Bicycle & Pedestrian Advisory Committees, WV Municipal League's Legislative Policy Committee, WV Municipal Home Rule Board, West Side Neighborhood Association, East End Community Association, Kanawha City Neighborhood Association, CURA, Community Development Committee of the Charleston Area Alliance, Charleston Urban Works, Better Building Team, Luna Park Historic District Team DOW Community Advisory Panel.

## **Staff**

Dan Vriendt, Director

Lori Brannon, Planner

John Butterworth, Planner

Chad Webb, Planner

Chuck Grishaber, Plans Reviewer

Khrista Messinger, CLRA Coordinator

Katrina Eldridge, Zoning Administrator

Derick Coia, Zoning Administrator

Angie Williams, Administrative Assistant

## **Contact**

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