



Municipal Planning Commission
Wednesday, April 3, 2019
3:00 p.m.
City Service Center – 915 Quarrier Street – Conference Room

Agenda

1. **Call to Order**
2. **Unfinished Business**
3. **New Business**

Rezoning: Bill No. 7804 amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, and the map made a part thereof, by rezoning from an R-6 district to an R-10 district, those certain six lots land situate at 1420 Lewis Street, 1426 Lewis Street, 601 Ruffner Avenue, 603 Ruffner Avenue and 605 Ruffner Avenue, Charleston, West Virginia.

Rezoning: Bill No. 7808 amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, and the map made a part thereof, by rezoning from an R-8 district to an I-2 district, South Annex District, Map 71, Part-of-Parcel 4, Chesterfield Avenue, Charleston, West Virginia.

Text Amendment: Bill No. 7802 amending the Zoning Ordinance of the City of Charleston, West Virginia, adopted January 1, 2006, as amended, by adding the definition of Retail Sales Establishment, amending the Land Use Table, and creating the Corridor Village District zoning classification; and adding the Corridor Village District to the sign regulations.

Text Amendment: Bill No. 7807 amending the Zoning Ordinance of the City of Charleston, West Virginia, adopted January 1, 2006, as amended, by clarifying notification requirements for petitions related to land use in the City of Charleston and eliminating a development standard related to parking in the C-8 Village Commercial District.

4. **Minutes of the January 9, 2019, MPC meeting**
5. **Minutes of the March 6, 2019, MPC meeting**
6. **Announcements**
7. **Adjournment**



PUBLIC HEARING NOTICE

Notice is hereby given that the City of Charleston's Municipal Planning Commission will hold a public hearing:

DATE: March 6, 2019

TIME: 3:00 p.m.

PLACE: City Services Center, 915 Quarrier Street,
On the 1ST Floor of Municipal Parking Building

CASE DESCRIPTION

Rezoning

Bill No. 7804 amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, and the map made a part thereof, by rezoning from an R-6 district to an R-10 district, those certain six lots land situate at 1420 Lewis Street, 1426 Lewis Street, 601 Ruffner Avenue, 603 Ruffner Avenue and 605 Ruffner Avenue, Charleston, West Virginia.

Public testimony for and against will be taken at the public hearing. Persons wishing to favor or object to the case described above may do so by personal appearance or representative at the hearing, or by written statement submitted to the Planning Department prior to the public hearing date listed above.

The file (including the application, plans and written statements submitted by interested parties) is available for your inspection in the City Planning Department office, City Service Center, 915 Quarrier Street, Suite 1. For more information, please call (304) 348-8105 or visit the office. As a matter of general policy these proceedings will not be transcribed by the Commission. Anyone wishing a legal transcript must provide a court reporter at his/her own expense.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Butterworth", is written over a horizontal line.

John Butterworth
Subdivision Coordinator
Neighborhood Planner

Bill No. 7804

Introduced in Council

March 4, 2019

Introduced by

Robert Sheets

Passed by Council

Referred to

Planning Committee

Municipal Planning Commission

Bill No. 7804 amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, and the map made a part thereof, by rezoning from an R-6 district to an R-10 district, those certain six lots land situate at 1420 Lewis Street, 1426 Lewis Street, 601 Ruffner Avenue, 603 Ruffner Avenue and 605 Ruffner Avenue, Charleston, West Virginia.

Be it Ordained by the City Council of the City of Charleston, West Virginia:

1 1. The Zoning Ordinance of the City of Charleston, West Virginia, enacted
2 the 1st day of January 2006, as amended, is hereby amended by rezoning from an
3 R-6 district to an R-10 district the whole of the following described parcels of
4 land:

5
6 Parcels Nos. 293, 294, 295, 296, 297 and 298 as shown on Charleston East
7 Tax Map No. 21. Said tax map is of record in the Planning Office.
8

9 2. The Zoning Map, attached to and made a part of said Zoning Ordinance, is
10 hereby amended in accordance with Article 27 of this ordinance.
11

12 3. All prior ordinances, or parts of ordinances, inconsistent with this
13 ordinance are hereby repealed to the extent of such inconsistency.
14

Exhibit 1: Zoning Map Excerpt



PETITION TO REZONE FROM R-6 TO R-10
SIX LOTS ON LEWIS STREET AND RUFFNER AVENUE
CHARLESTON, WEST VIRGINIA

TO THE MAYOR AND COUNCIL
OF THE CITY OF CHARLESTON, WEST VIRGINIA

I.

The Petitioner, East West Apartments LP, is the contract optionee for the purchase of four lot contiguous lots depicted and shown in the office of the Assessor of Kanawha County, West Virginia, on 2018 Charleston East Tax Map 21 Parcels 295, 296, 297, and 298. Parcels 295, 296, 297, and 298 are titled and assessed in the name of Clark Land LLC, the contract optionor for the sale of these four lots. Clark Land LLC has consented to this Petition. (Darrell Rolston is the principal and representative of Clark Land LLC. His telephone number is (304) 345-0500.)

Parcel 295 has a common street address of 1426 Lewis Street. Parcels 296, 297, and 298 have common street addresses of 601, 603 and 605 Ruffner Avenue.

The Clark Land LLC lots currently are vacant.

Charleston East Tax Map 21 Parcel 294 is titled and assessed in the name of Buff Apartments LLC with a mailing address of 1422 Lewis Street, Charleston, West Virginia 25301. The Buff Properties LLC lot currently contains five adjacent apartments. The common street address is 1422 Lewis Street. Buff Apartments LLC has consented to the Petitioner's request to re-classify Parcel 294. Shane Wilson of Buff Properties LLC is the principal.

Charleston East Tax Map 21 Parcel 293 is titled and assessed in the name of MBT Properties LLC with a mailing address of P. O. Box 3750, Charleston, West Virginia 25337. The common street address is 1420 Lewis Street. The MBT Properties LLC lot currently is vacant. The Petitioner has not as of the date of this Petition communicated with MBT Properties LLC about the Petitioner's request to re-classify Parcel 293.

Parcels 293, 294, 295, 296, 297, and 298 currently are classified as R-6 on the Official Zoning Map of the City of Charleston, West Virginia.

To the south of the six lots, the majority of the block bounded by Lewis Street and Ruffner Avenue are classified as R-10. To the west, a large number of parcels are classified as C-10. The parcels north of Parcels 293 and 294 are classified as C-10.

The parcels north and east of Parcels 295, 296, 297, and 298 are classified as C-6.

II.

The Petitioner desires the City of Charleston to re-classify the six lots from an R-6 zone to an R-10 zone. The Clark Land LLC lots are vacant within a block of single-family residences. The Petitioner, through East West Apartments LP, has obtained financing using the Low-Income Housing Tax Credit program and other sources of funds to construct and operate, in the aggregate 10 multi-family townhouses, including eight two-bedroom and two three-bedroom townhouses on the four lots.

A preliminary sketch of the site plan for the proposed development is attached; however, the site design is subject to change in configuration of the units.

Simultaneously with this Petition, the Petitioner seeks, through an application for a minor subdivision, to merge of Parcels 295, 296, 297, and 298, each containing 4,000 square feet, more or less, into a single lot containing nearly 16,000 square feet, more or less. Access to a parking field for the 10-unit residential development will be through and by the city-owned alley, one the northeast corner of the merged parcel.

III.

The applicable sections of the Zoning Ordinance are Sections 6-010 through 6-060 for R-6 and Sections 8-010 through 8-060 for R-10

Re-zoning all of the parcels from R-6 to R-10 would conform to the Comprehensive Plan of the City of Charleston (2013) at 17.

The Comprehensive Plan's Overall Neighborhood Goals and the Future Land and Character Map states: "Promote appropriate and compatible in-fill development"; "Provide housing to match the varied needs and income levels of the present and future population . . ."; and "Provide housing to match the varied needs and income levels of the present and future population . . ." p. 11.

The re-zoning from R-6 to R-10 would satisfy or meet one of the identified Opportunities and Challenges: "Develop higher density residential to the north of Washington Street." p. 18. The parcels, as re-zoned to R-10, would be compatible with the R-10 district to the south across Lewis Street.

This is particularly illustrated in that the Petitioner's lots are small lots that currently do not conform to the Zoning Ordinance for single-family, duplex, triplex and multi-family dwellings at 5,000 square feet. See Section 6-020. Each of the Petitioner's lots is slightly less than 4,000 square feet. The same is true for MBT Properties LLC's lot, which is slightly less than 4,000-square feet and

currently does not conform to the minimum lot size of 5,000 square feet in an R-6 district.

(Buff Apartments LLC is contains 10,720 square feet, more or less, and currently conforms to Section 6-020.)

The parcels are located in the East End north of Washington Street, a Traditional Core Neighborhood. "As to Traditional Core Neighborhood: Duplexes, triplexes and multi-family units may respect the character of the surrounding urban, historic fabric, while large-scale modern multifamily is less appropriate."

If the Petitioner's parcels remained classified as R-6, they would be unsuitable for the proposed housing development or for any residential development, including single-family detached houses. That is to say, the Petitioner's lots individually cannot each be redeveloped for any form of residential use if they remain classified as R-6.

Re-classifying the Petitioner's parcels to R-10 is the least restrictive district under the Zoning Ordinance in order to develop them for the Petitioner's proposed 10-unit project.

IV.

Robert Sheets, Council Member for Ward 8, has consented to sponsor the bill to re-classify the parcels from R-6 to R-10.

Attached hereto is a bill to accomplish the rezoning, a list of property owners who own property within 250 feet of the subject lots, a map of the subject lots, and a filing fee in the amount of \$125.00.

Respectfully submitted
this 11th day of February, 2019

EAST WEST APARTMENTS LP

By:


Christopher T. Sadd, its representative
(281) 216-3972

March 6, 2019

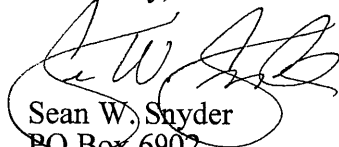
City of Charleston
Municipal Planning Commission
915 Quarrier Street
Charleston, WV 25301

To Whom It May Concern:

I am writing in reference to a letter that I recently received regarding the Public Hearing taking place today, March 6, 2019 regarding Rezoning from an R6 district to an R10 district, the six lots situated at 1420 Lewis Street, 1426 Lewis Street, 601 Ruffner Avenue, 603 Ruffner Avenue, and 605 Ruffner Avenue, Charleston, WV.

As a nearby property owner and resident of the neighborhood, I am adamantly opposed to any rezoning of our neighborhood to allow for the construction of multi-family rental housing units as proposed with this project. I believe that construction of such multi-family rental housing units in our neighborhood would change the character of the neighborhood, leading to additional residents, traffic, increased safety and crime issues. There are already multiple apartment buildings in very close proximity to the proposed construction area, and with creation of additional units, the area cannot sustain the additional population and all that it would bring. There are already issues with congested traffic and lack of parking in the area of the East End Community Resource Center – Roosevelt. We are also experiencing increased crime in terms of property damage, drug use and manufacture, theft, by folks moving through the neighborhood. I feel that the rezoning of this property and construction of additional multi family, low income housing, would negatively impact our neighborhood and lead to many of the same issues that we have worked hard to overcome in recent years.

Sincerely,



Sean W. Snyder
PO Box 6902
Charleston, WV 25362
(304) 993-6068

507-509 Ruffner Avenue



Michelle Johnson
1527 Lewis Street
Charleston, WV 25311
Phone (304) 561-8997

March 15, 2019

Mayor Amy Goodwin
501 Virginia Street East
Charleston, WV 25301

RE: Low income housing unit application for zoning on the corner of Ruffner and Lewis Street, parking fees for street sweeper, crime on the east end and elimination of trash bags

Dear Mrs. Goodwin:

This letter concerns the current request for zoning of a low-income housing unit on the corner of Ruffner and Lewis Street on the East End of Charleston, parking fees for street sweeper, crime on the East End, vacant buildings, trash and elimination of trash bags.

First of all, I would like to express my appreciation and admiration of the East End of Charleston. Both sides of Washington Street on the East End have beautiful historic homes and the East End preserved is a jewel, most of the historic homes are irreplaceable and an attraction for businesses, tourism and educated hard working individuals. The downtown areas of other cities such as Columbus Ohio have been renovated and are highly desirable places to live. The City of Charleston would be wise to preserve these historic homes. If the homes or apartments have fallen into such disrepair that they cannot be renovated then they should be torn down as these abandoned buildings have merely been places for people to gather who are up to no good.

Some forward-thinking individuals, like Mr. Clark and his workers, have been busy renovating the homes on the East End, in fact they are renovating a home across the street from me and renovated a four-unit apartment building. Their work is exquisite and the end result is an affordable home that can be purchased by middle to low middle-income households. The city counsel should see what can be done with these dilapidated homes and buildings while preserving their historical value and appearance. These renovations will only serve to help the city of Charleston.

The East End of Charleston seems to be getting more than their fair share of homeless shelters, drug shelters, public housing HUD and the list is endless. Charleston has also attracted many out of town drug addicts and has become the Hawaii for the Homeless. Combine that with all the free services here and broken-down abandoned buildings and what we have is a crime infested city full of drug addicts. It's no wonder that Charleston was voted one of the unhappiest cities in the county. I don't understand how this city could have spent 100 million dollars on the Civic Center and left the city in such a dilapidated condition. The Charleston businesses have

been paying outrageous taxes that some consider unconstitutional, the parking fees and tickets have gone up and the poor Town Center Mall has suffered as have many businesses who either sold out, went bankrupt or moved.

I have lived on the other side of Washington Street on the East End and it's bad there also. I lived on Quarrier Street and I personally know of several vehicles that were broken into. Recently I'm aware of two B&E on Lee Street. I called the police for a gentleman who I assumed was flipping out on drugs taking off his clothes and running out into the middle of Lee street by the post office throwing his clothing and shoes at cars and putting them back on again and doing it all over again. He was acting very aggressive towards the vehicles and was a danger to himself and the drivers. The entire East End, downtown and West End are affected by what happens in the area. Certainly, people from Lewis Street are able to walk to Virginia Street, Quarrier Street, Lee Street and Kanawha Avenue to commit crimes and walk to town. On my end of Washington street, crime has become intolerable. On Dixie Street the police took out hundreds of guns stolen items and drugs about a year ago. There was also some form of shooting on Dixie Street not long ago. On Lewis Street, recently, a house was shot up with children in it, a home was broken into and the basement was set on fire according to the news. I have been told that there were overdoses and at least one overdose death on my street. I have personally contacted the health department to pick up needles in my front yard, the lady's yard across the street from me and in the City Park on Dixie Street.

The physical condition of some of the people here is so shocking that several people called the police concerned that the individual may be overdosing. I've seen this on Ruffner and in the park. People have set up camp everywhere in the abandoned buildings as you can see their clothes hanging out and sometimes tents down by the rail road tracks. You see their clothes, shopping carts, broken glass and garbage everywhere. People have entered my neighbors' back yards through their gates without their knowledge and we have called the police when at least three people have entered an outbuilding on Jackson Street. My neighbor on Lewis Street had her vehicle broken into, my nice expensive truck was hit and no one stopped. My other neighbor had an expensive package stolen off her porch as witnessed by employees working on the gas line. Another Lewis Street neighbor's house was robbed I was told people set up camp in his house when he was away on military leave and were just toting everything away like they owned it. The neighbor across the street from me witnessed her friend's BMW broken into and an attempt to steal it, but she stopped them. People were living in a boat sitting in her yard and garbage was everywhere. According to my neighbor, she was picking up human feces in her yard. Upon information and belief, there has been a lot of drugs around Lewis, Dixie and Thompson Streets. There was a house burnt down on Jackson Street and less than a month ago, the police were called for what looked like a break in on the next street west of Ruffner.

The East End needs help especially on my end of Washington Street and we can not take any more disturbances. The church is taking all the green space up for parking on Thompson Street and now some of the only empty lots left are going to be occupied by low income housing. Low Income Housing was meant for diversification. The East End of Charleston is already diversified. The cities Low Income Housing units, Rehabs and Shelters should be equally disbursed throughout the city. South Hills could use the diversification of a Low-Income Housing Unit.

Lewis Street does not have the parking to accommodate a low-income housing unit. The 1500 block of Lewis Street has seven occupied apartment units for which I believe only one has parking in the back. The police also take up a good deal of parking on Lewis Street as does occupants of the Roosevelt Center. The 1400 block of Lewis Street has many apartments, no parking for the apartments and several businesses. Beginning April 1, 2019, the street sweeper will twice weekly sweep the streets until November. All the cars will have to move their vehicles to the other side of the street twice a week or receive a ticket. The city has doubled the tickets from \$25 to \$50 per parking ticket that I believe will double after ten days. Lewis Street doesn't have enough parking now without a low-income housing unit. Even if the housing unit has one parking spot for each apartment, that's not nearly enough considering visitors and that some households may have up to four vehicles.

Finally, I am objecting to the low-income housing unit on the corner of Ruffner and Lewis Street because I believe it will lead to more crime, excessive parking tickets and devalue my home and my neighborhood. Placement of this unit is a violation of my due process rights by the city and an unlawful taking. We are being offered nothing in return for all the negative consequences of zoning on Lewis Street for a Low-Income Housing Unit. Our neighborhood has had enough. By the way, eliminating the trash bags is only going to make matters worse. There are clothes, shopping carts, broken glass all over. People set up camp down by the rail road tracks in the vacant buildings and hang their clothes out and throw trash all over. I don't believe these people are living outside because housing isn't available. Our water bills are some of the highest in the country and the trash and sewage is much more expensive than Columbus according to my brother. If the city eliminates the trash bags, it can only make matters worse. I rent office space on the West End and its bad there also so much that I'm afraid to stay late. The urban outdoorsmen have decided to live on the office porch, in the alley, parking lots and etc. Upon information and belief, an entire house next to my building was used to store stolen items and it was eventually torn down. The police can't fix this problem alone.

Respectfully Submitted,

Michelle Johnson

Cc:



PUBLIC HEARING NOTICE

Notice is hereby given that the City of Charleston's Municipal Planning Commission will hold a public hearing:

DATE: April 3, 2019

TIME: 3:00 p.m.

PLACE: City Services Center, 915 Quarrier Street,
On the 1ST Floor of Municipal Parking Building

CASE DESCRIPTION

Rezoning

Bill No.7808 amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, and the map made a part thereof, by rezoning from an R-6 & R-8 district to an I-2 district, Part-of-Parcels Nos. 2, 3, and 4, South Annex Tax Map No. 71 and Parcel 1 on South Annex Tax Map No. 72, Chesterfield Avenue, Charleston, West Virginia.

Public testimony for and against will be taken at the public hearing. Persons wishing to favor or object to the case described above may do so by personal appearance or representative at the hearing, or by written statement submitted to the Planning Department prior to the public hearing date listed above.

The file (including the application, plans and written statements submitted by interested parties) is available for your inspection in the City Planning Department office, City Service Center, 915 Quarrier Street, Suite 1. For more information, please call (304) 348-8105 or visit the office. As a matter of general policy these proceedings will not be transcribed by the Commission. Anyone wishing a legal transcript must provide a court reporter at his/her own expense.

Sincerely,

A handwritten signature in black ink, appearing to read "John Butterworth", is written over a horizontal line.

John Butterworth
Subdivision Coordinator
Neighborhood Planner

Bill No. 7808

Introduced in Council

April 1, 2019

Introduced by

Will Laird

Passed by Council

Referred to

Planning Committee

Municipal Planning Commission

Bill No. 7808 amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, and the map made a part thereof, by rezoning from an R-6 & R-8 district to an I-2 district, Part-of-Parcels Nos. 2, 3, and 4, South Annex Tax Map No. 71 and Parcel 1 on South Annex Tax Map No. 72, more specifically shown on the attached plat dated March 25, 2019 by Richard E. Kinder Jr., P.S, Chesterfield Avenue, Charleston, West Virginia.

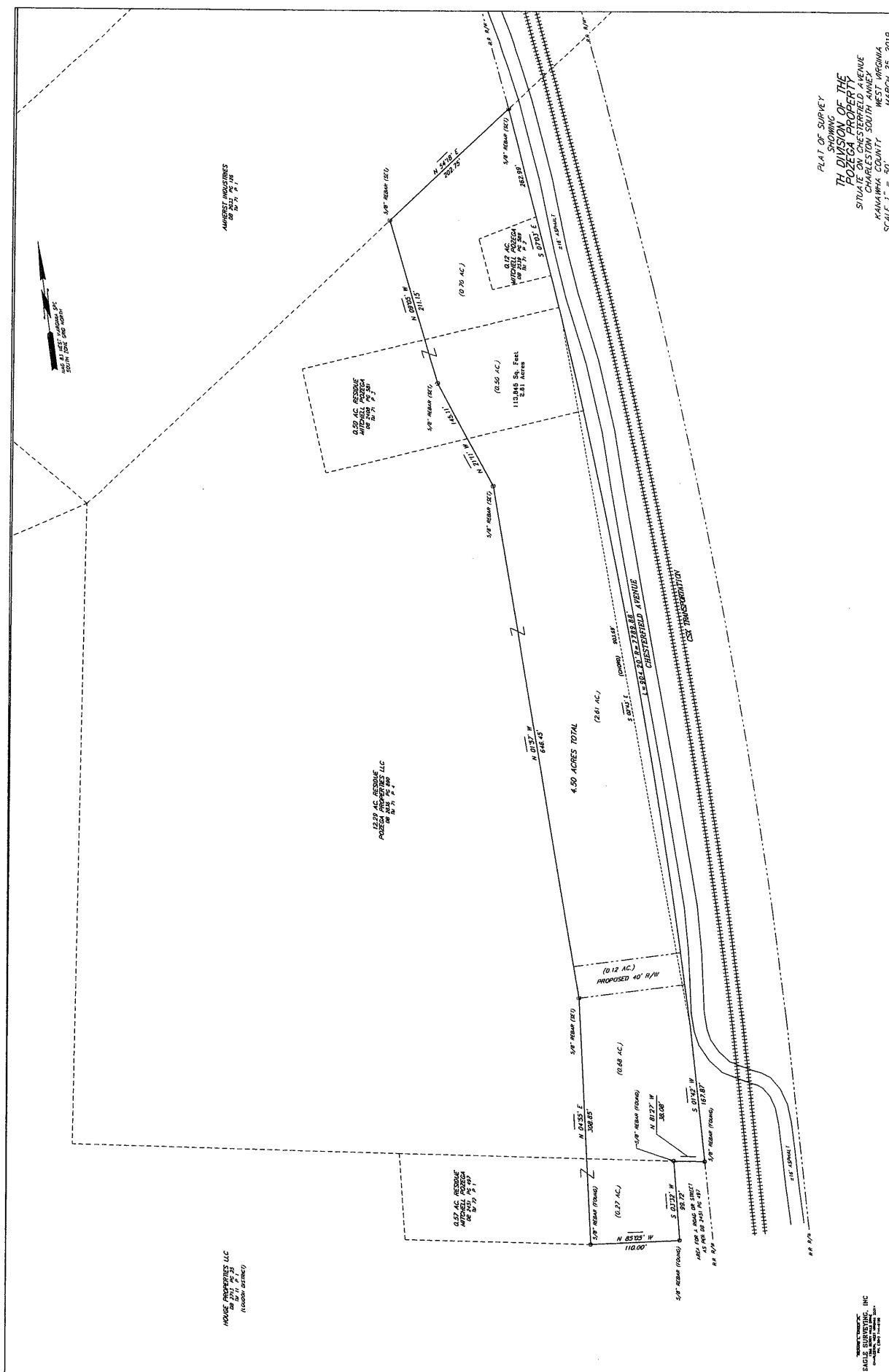
Be it Ordained by the City Council of the City of Charleston, West Virginia:

1 1. The Zoning Ordinance of the City of Charleston, West Virginia, enacted
2 the 1st day of January 2006, as amended, is hereby amended by rezoning from an
3 R-6 & R-8 district to an I-2 district the whole of the following described parcels
4 of land:

5
6 Part-of-Parcels Nos. 2, 3, and 4, South Annex Tax Map No. 71 and Parcel
7 1 on South Annex Tax Map No. 72, more specifically shown on the
8 attached plat dated March 25, 2019 by Richard E. Kinder Jr., P.S. Said tax
9 maps are of record in the Planning Office.

10
11 2. The Zoning Map, attached to and made a part of said Zoning Ordinance, is
12 hereby amended in accordance with Article 27 of this ordinance.

13
14 3. All prior ordinances, or parts of ordinances, inconsistent with this
15 ordinance are hereby repealed to the extent of such inconsistency.
16



PLAT OF SURVEY

2007

THE JOINTS AND ALL
SHOWING

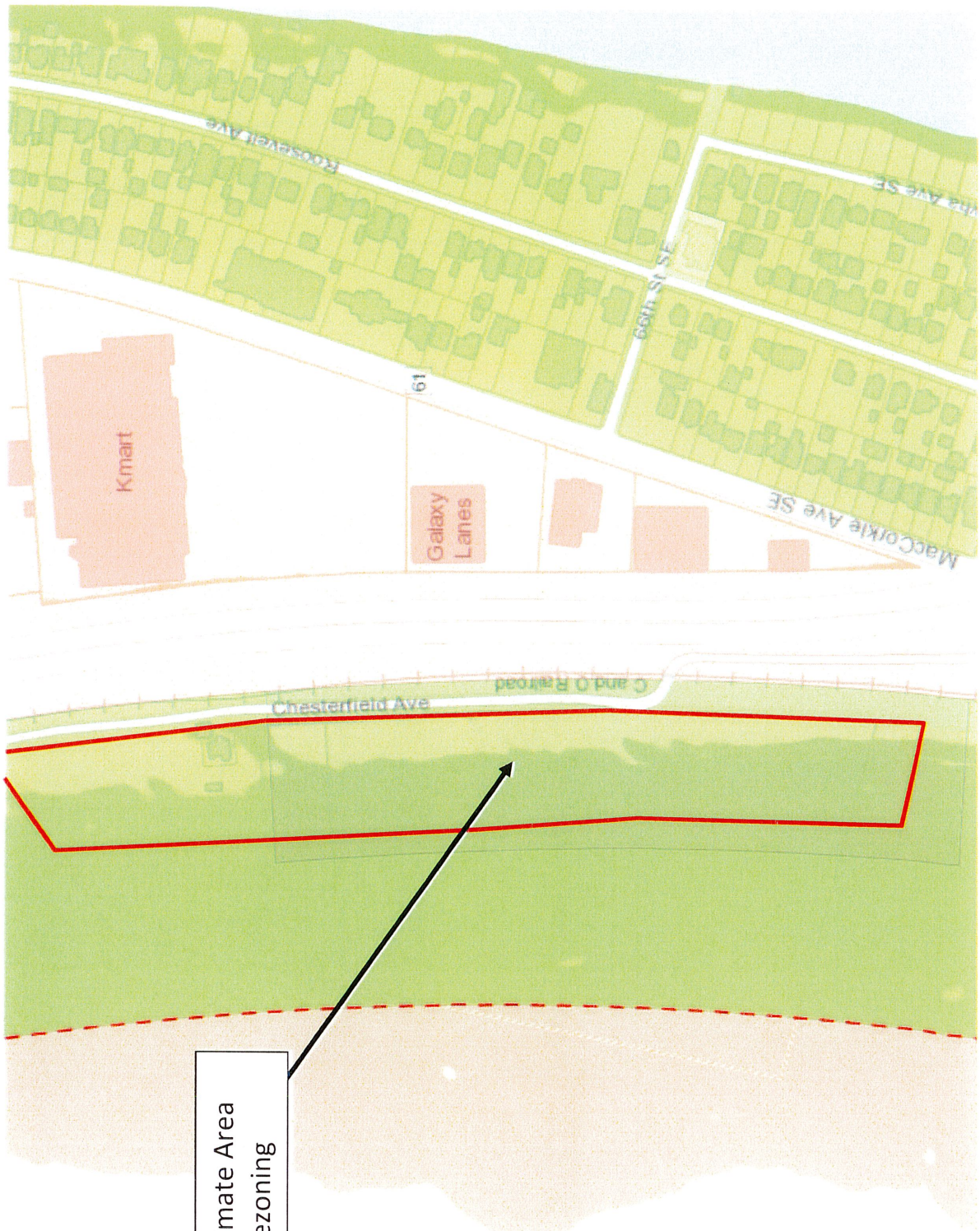
WITH DIVISION OF THE
POZEGA PROPERTY

TE ON CHESTERFIELD AVENUE
HARFESTON SOUTH ANAHEIM

HAFFLESTON SOUTH ANNEX
HA COUNTY WEST VIR

MARCH 2

10



Approximate Area
of Rezoning

Bill No. 7802

Introduced in Council

Passed by Council

March 4, 2019

Introduced by

Referred to

Mary Beth Hoover

Planning Committee
Municipal Planning Commission

Bill No. 7802 amending the Zoning Ordinance of the City of Charleston, West Virginia, adopted January 1, 2006, as amended, by adding the definition of Retail Sales Establishment, amending the Land Use Table, and creating the Corridor Village District zoning classification; and adding the Corridor Village District to the sign regulations.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHARLESTON, WEST VIRGINIA

The Zoning Ordinance for the City of Charleston, West Virginia, effective January 1, 2006, is hereby amended as follows: by adding the definition of Retail Sales Establishment, amending the Land Use Table, and creating the Corridor Village District zoning classification; and adding the Corridor Village District to the sign regulations

1) In ARTICLE 2: DEFINITIONS

Section 2-020 Definitions of Terms

Add:

Retail Sales Establishment. A business having as its primary function the supply of merchandise or wares to the end consumer. Such sales constitute the "primary function" of the business when such sales equal at least eighty (80) percent of the gross sales of the business.

2) In ARTICLE 3: ESTABLISHMENT OF ZONING DISTRICTS AND MAP

Section 3-010 Establishment of Zoning Districts

Amend:

A. The City of Charleston is hereby divided into the following zoning districts:

<u>Abbreviation</u>	<u>District Name</u>
R-2	Single Family Residential District
R-4	Single Family Residential District
R-6	Medium Density Residential District
R-8	High Density Residential District
R-10	Mixed Use Neighborhood District
R-O	Residential-Office District
C-4	Neighborhood Commercial District
C-8	Village Commercial District
C-10	General Commercial District
C-12	Shopping Center District

38	CBD	Central Business District
39	UCD	Urban Corridor District
40	<u>CVD</u>	<u>Corridor Village District</u>
41	PMC	Professional and Medical Campus
42	I-2	Light Industrial District
43	I-4	Heavy Industrial District
44	PUD	Planned Unit Development

3) In ARTICLE 3: ESTABLISHMENT OF ZONING DISTRICTS AND MAP
Section 3-050 Permitted Land Uses

Amend:

LAND USE	R-2	R-4	R-6	R-8	R-10	R-O	C-4	C-8	C-10	C-12	CBD	UCD	<u>CVD</u>	PMC	I-2	I-4	PUD	SUPP.
Accessory Structure	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A	A	A	A	1
Accessory Use	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A	A	A	A	2
Adaptive Reuse of a Nonresidential Structure	C	C	C	C														50
Airport															C	C		
Alcoholic Beverage Sales for Off-premise Consumption							P	P	P	P	C	P	<u>P</u>					52, 53
Alcohol Beverage Sales, Bar Nightclub, or Private Club							C	C	P	P	C	C	<u>C</u>					52, 53
Alcohol Beverage Sales, Liquor Store							C	C	C	C	C	C	<u>C</u>					52, 53
Alcohol Beverage Sales, Restaurant							C	P	P	P	P	P	<u>C</u>					52
Amphitheater									C		C	C			C			
Amusement Park										P								
Animal Grooming Service (Small Animals)								P	P	P		<u>P</u>	<u>P</u>		P	P		
Animal Grooming Service (Unlimited)										P					P	P		
Animal Hospital/Clinic								P	P	P	P	<u>P</u>	<u>P</u>	C	P	P		8
Animal Shelter															C	P		8
Art Gallery					C	C	P	P	P	P	P	P	<u>P</u>		P	P	P	
Assisted Living Facility			C	C	C	C	P	P	P	P	P	P	<u>P</u>	P			P	45
Association (Charitable/Fraternal/Social)								P	P	P	P	P	<u>P</u>	P				
Auction								C	P	P	C	C			P			19
Automobile Rental or Leasing Establishment								P	P	P	P	<u>P</u>	<u>C</u>					14
Automobile Retail Sales Establishment								P	P	P								14
Automobile Washing or Polishing Establishment								P	P	P	P	<u>P</u>	<u>C</u>		P			14
Automotive Body and Paint Shop									P	P					P	P		14
Automotive Parts, Supplies, or Accessories								P	P	P	P	P	<u>P</u>	P				14
Automotive Repair Establishment								P	P	P	P	<u>PC</u>	<u>C</u>		P			14
Automotive Wrecker Service									C	C					C	P		34
Bakery (retail)							P	P	P	P	P	P	<u>P</u>					
Bakery (wholesale)									P	P		P	<u>P</u>		P			
Beauty Salon/Barber Shop					C	C	P	P	P	P	P	P	<u>P</u>					49

LAND USE	R-2	R-4	R-6	R-8	R-10	R-O	C-4	C-8	C-10	C-12	CBD	UCD	<u>CVD</u>	PMC	I-2	I-4	PUD	SUPP.
Bed and Breakfast Inn			C	C	C	C	C	C	P	P	P	P	<u>P</u>					20
Boarding House (Limited by Intensity of Use)					C	C			C									20
Books or Stationary Establishment							<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		A				12,13
Bowling Alley								P	P	P								
Broadcasting Station									P		P	<u>P</u>						
Building Materials Sales Establishment-Retail									P	P					P	P		
Building Materials Sales Establishment-Whlse									P	P					P	P		
Bus Garage									P						P	P		
Bus Terminal									P	P	P				P	P		
Campground	C	C																
Carnival, Circus, Fairground, Amusement - Permanent									P	P								
Carnival, Circus, Fairground, Amusement - Transient									P		P				P			
Catering Service Establishment							P	P	P	P	P	P	<u>P</u>	A				
Cemetery		C	C															21
Chemicals - Storage (Tank Farm)															C	C		
Christmas Trees Sales Establishment (Retail)							P	P	P	P	P	P	<u>P</u>	A	P	P		14
Clinic - Medical or Dental					P	P	P	P	P	P	P	P	<u>P</u>	P				
Coin Operated Laundry							P	P	P	P	P	P	<u>P</u>	A	P			
Columbarium - (acc. To Religious Inst.)	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A			A	2
Community Center	C	C	C	C	C	C	P	P	P	P	P	P	<u>P</u>	A			A	
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	P	50
Composting Operation																P		7
Conference Center											P	P	<u>P</u>	P				45
Contractor's Establishment							P	P	P	P	P	P	<u>P</u>		P	P		
Convenience Store, Neighborhood							P	P	P	P	P	P	<u>P</u>					
Correctional Institution															C			
Country Club	C	C															C	
Crematorium (Not part of Funeral Home)								P	P	P	P				P	P		
Dance or Social Club								P	P	P	P	P	<u>P</u>					
Dancing Instruction or Studio							P	P	P	P	P	P	<u>P</u>		P			
Department Store								P	P	P	P	P	<u>P</u>					
Dock, Commercial								C	C	C	C	C	<u>C</u>		C	C		33
Dock, Private	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	P	33
Dormitory, Fraternity or Sorority House				C	C	C					P	P	<u>P</u>	P				
Distribution Center															P	P		
Drive-Thru Facility							P	P	P	P	P	<u>P</u>	<u>P</u>	P	P	P		
Drugstore							P	P	P	P	P	P	<u>P</u>	A				
Dry Cleaning and Laundry Services								P	P	P	P	P	<u>P</u>	A	P			
Dwelling, Accessory	P	P	P	P	P	P												
Dwelling, Single Family	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P				
Dwelling, Duplex			P	P	P	P	P	P	P	P	P	P	<u>P</u>	P			P	10
Dwelling, Live-Work Quarters								P	P	P	P	P	<u>P</u>	P	P		P	
Dwelling, Manufactured Home	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P			P	
Dwelling, Mixed Use								P	P	P	P	P	<u>P</u>	P			P	
Dwelling, Modular Home	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P			P	
Dwelling, Multi-family			P				P						<u>P</u>	P			P	

LAND USE	R-2	R-4	R-6	R-8	R-10	R-O	C-4	C-8	C-10	C-12	CBD	UCD	<u>CVD</u>	PMC	I-2	I-4	PUD	SUPP.
Limited																		
Dwelling, Multi-family - Unlimited except by intensity of use				P	P	P		P	P	P	P	P	<u>P</u>	P			P	
Dwelling - Over store							P	P	P	P	P	P	<u>P</u>	P			P	16
Dwelling - Townhouse			P	P	P	P	P	P	P	P	P	P	<u>P</u>	P			P	
Dwelling - Triplex			P	P	P	P	P	P	P	P	P	P	<u>P</u>	P			P	
Educational Institution- College/Univ./Technical					C	C	P	P	P	P	P	P	<u>P</u>	P				45
Educational Institution - Elementary School	C	C	C	C	C	C	P	P	P	P	P	P	<u>P</u>	P				45
Educational Institution - High School	C	C	C	C	C	C	P	P	P	P	P	P	<u>P</u>	P				45
Educational Institution - Middle School	C	C	C	C	C	C	P	P	P	P	P	P	<u>P</u>	P				45
Educational Institution - Nursery or Preschool	C	C	C	C	C	C	P	P	P	P	P	P	<u>P</u>	P				45
Employment Agency								P	P	P	P	P	<u>P</u>					
Exterminating or Fumigating Service Establishment									P	P					P	P		
Factory Built Housing, Sales/Storage Establishment															P			
Family Day Care Facility	A	A	A	A	A	P	P	P	P	P	P	P	<u>P</u>	P			C	22
Family Day Care Adult Facility	A	A	A	A	A	P	P	P	P	P	P	P	<u>P</u>	P			C	22
Family Day Care Home	C	C	C	C	C	C											C	22
Family Day Care Adult Home	C	C	C	C	C	C											C	22
Farm Equipment or Supplies Sales Establishment									P	P					P			14
Farm Products – Raw Materials Sales															P	P		
Financial Service Institutions					P	P	P	P	P	P	P	P	<u>P</u>	A				
Firearms Sales Establishments									P	P	P							
Florist							P	P	P	P	P	P	<u>P</u>	A				
Funeral Establishment with /wo Crematorium								P	P	P	P	P	<u>P</u>		P			
Furniture, Fixtures or Equipment Sales Establishments								P	P	P	P	P	<u>P</u>		P			
Furniture Sales Establishments- Retail							P	P	P	P	P	P	<u>P</u>		P			
Furniture Upholstering, Repairing or Refinishing								P	P	P	P	P	<u>P</u>		P			
Gambling establishment								C	C	P	P	C	<u>C</u>					24
Garage or Carport (Detached)	A	A	A	A	A	A	A	A	A	A			<u>A</u>					1
Garage Sale	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A	A	A	A	47
Garden Center Establishment							P	P	P	P	P	<u>P</u>	<u>P</u>		P			14
Gasoline Service Station							C	P	P	P			<u>C</u>		P	P		
Gasoline Station and Mini-Mart								P	P	P			<u>C</u>		P	P		
Glass - Cutting, Coating or Tinting Establishment									P	P		<u>P</u>	<u>P</u>		P			
Go-cart Track Facility									C	C					C			44
Golf Course	C	C															C	
Golf Driving Range	A	A							C	C							A	
Government Facility					P	P	P	P	P	P	P	P	<u>P</u>	P	P			45
Greenhouse or Nursery						C			P	P		<u>P</u>	<u>P</u>		P			14, 23
Grocery Store							P	P	P	P	P	P	<u>P</u>					
Group Home			P	P	P	P	P	P	P	P	P	P	<u>P</u>				P	11
Group Home, Developmentally Disabled	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P			P	11

LAND USE	R-2	R-4	R-6	R-8	R-10	R-O	C-4	C-8	C-10	C-12	CBD	UCD	CVD	PMC	I-2	I-4	PUD	SUPP.
Group Housing Development				C	C	C												25
Gymnasium or Athletic Club								P	P	P	P	P	P	A				
Halfway House					C	C					P							6,10
Hardware Sales Establishment							P	P	P	P	P	P	P		P			
Health Spa/Club							P	P	P	P	P	P	P	A				
Helistop/Heliport -									C	C	C			C	C	C		26
Historic or Monument Site	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Home Based Business-Level I	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	4
Home Based Business-Level II	C	C	C	C	C	C	P	P	P	P	C	C	P				C	4
Home Parties or Showings	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	47
Hospital or Sanitarium			C	C	P	P	P	P	P	P	P	P	P	P			C	45
Hotel								P	P	P	P	P	P					
Hypermarket										P								14
Indoor Self-Storage Facility								C	C	C					C	C		27
Industrial Equipment Repair Establishment															P	P		
Industrial Park										P					P			
Industrial Service Establishments										P				P	P			
Industrial Supplies Sales Establishment									P	P					P	P		
Instructional Studios							P	P	P	P	P	P	P	P	P			
Interior Decorating Service Establishment							P	P	P	P	P	P	P					
Janitorial Service Establishment									P	P					P	P		
Junkyard																C		28
Kennel-Commercial									P	P								8,29
Laboratories					P	P			P	P	P	P	P	P	P			15
Landfill-Earth	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	30
Landfill - Sanitary		C													C	C		30,48
Library							P	P	P	P	P	P	P	A				
Limousine Service Establishment									P	P	P	P			P			
Livestock or Poultry, Keeping of (Non-Commercial)	C	C	C															31
Locksmith							P		P	P	P	P	P					
Machinery - Repair (small business office /lawn /garden)								P	P	P		P	P		P			
Machinery - Heavy Equipment Sales, Storage, Repair, Rental															P	P		
Machinery - Shop															P	P		
Manufacturing, Heavy																P		
Manufacturing, Light															P	P		
Marina									C	C	C	C	C	C	C			33
Marine Craft Sales/Repair Establishment								P	P	P					P	P		
Mini-Storage Facility															C	C		32
Miniature Golf								P	P	P								
Motel								P	P	P	P	P	P					
Motorcycle - Retail Sales Establishment								P	P	P					P			
Movie Theater -Drive-in (Exc. Adult)									C	P								35
Movie Theater - Indoor (Exc. Adult)								P	P	P	P	P	P					
Museum			C	C	C	C	C	P	P	P	P	P	P	P				
Music - Instruction or Studio							P	P	P	P	P	P	P	P				
Nursing Home			C	C	P	P		P	P	P	P	P	P	A				36

LAND USE	R-2	R-4	R-6	R-8	R-10	R-O	C-4	C-8	C-10	C-12	CBD	UCD	<u>CVD</u>	PMC	I-2	I-4	PUD	SUPP.
Office - Apartment Rental Office (20 +units)				A	A	A	A	A	A	A	A	A	<u>A</u>	A			A	
Office - Associated with permitted Ind. use															A	A		
Office - Professional (No display or sale of goods)					P	P	P	P	P	P	P	P	<u>P</u>	P			P	
Office - Business or Professional (Unlimited)					P	P	P	P	P	P	P	P	<u>P</u>	P	P			
Office Park									P	P	P	P		P	P			45
Oil or Gas Well Operation	C	C	C	C	C	C	C	C	C	C	C	C	<u>C</u>	C	C	C	C	37
Park	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	P	9
Parsonage (Accessory to Religious Inst.)	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A				
Parking - Restricted Accessory	C	C	C	C	C	C	C	C	C	C	C	C	<u>C</u>	C	C	C	C	9,38
Parking - Commercial								C	P	P	P	P	<u>P</u>	P				9
Parking - Public Lot							P	P	P	P	P	P	<u>P</u>	P				9
Parking - Structure								P	P	P	P	P	<u>P</u>	P				
Pawn Shop									P	P	P							
Performing Arts Complex									P	P	P	P	<u>P</u>					
Personal Services Establishment							P	P	P	P	P	P	<u>P</u>					
Pet Shop								P	P	P	P	P	<u>P</u>					
Petroleum - Manufacturing (Refining or related industries)																C		
Petroleum - Storage (Tank farm)															C	C		
Petroleum - Wholesale (Bulk)															P	P		
Photo Finishing Establishment - With on-premise processing								P	P	P	P	P	<u>P</u>		P			
Photography Studio – Commercial or Portrait								P	P	P	P	P	<u>P</u>					
Printing or Publishing Establishment								P	P	P	P	P	<u>P</u>		P	P		
Professional Services Establishment					P	P	P	P	P	P	P	P	<u>P</u>	P			P	
Public Services (Police/Fire)	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	P	
Quarry															C	C		
Rail Terminal									P						P	P		
Recreational/Sports Facility (Group)								C	P	P	P	P	<u>P</u>	P	P	P		39
Recycling Collection Center															P	P		7
Refuse Incineration											A			A		C		7
Religious Institution (Acc.Day Care Facility)	C	C	C	C	C	C	P	P	P	P	P	P	<u>P</u>	P			P	46
Religious Institution (under 80,000 SF)	C	C	C	C	C	C	P	P	P	P	P	P	<u>P</u>	P			P	45,46
Religious Institution (over 80,000 SF)										P								46
Rental Services - Exc.Heavy Machinery Est.								P	P	P	P	P	<u>P</u>	A				
Research and Development Center								P	P	P	P	P	<u>P</u>	P	P			45
Residential - See Dwellings																		
Restaurant - Without Drive-Thru							P	P	P	P	P	P	<u>P</u>	A				
Restaurant - Fast Food with Drive-Thru								P	P	P	P	<u>P</u>	<u>P</u>					
Restaurant - Serving Alcoholic Beverages							C	P	P	P	P	P	<u>C</u>					52

LAND USE	R-2	R-4	R-6	R-8	R-10	R-O	C-4	C-8	C-10	C-12	CBD	UCD	<u>CVD</u>	PMC	I-2	I-4	PUD	SUPP.
<u>Retail Sales Establishment</u>							<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>					
Reuse of Structure	C	C	C	C														40
Satellite Dish /Antenna (Under 30" dia.-private)	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A	A	A	A	
Sewage or Solid Waste Disposal																C		41
Sewage Treatment Plant																C		41
Sexually Oriented Business																C		18
Shopping Center								C	P	P	P	<u>P</u>						
Shooting Range (Indoor - Outdoor)									C	C								44
Sign Fabricating or Painting Establishment								P	P	P					P	P		
Sign Fabrication/Painting (2,500 SF-no op.stor.)									P	P								
Signs (Off-Premise)									C							C		
Skating Rink - Indoor/Outdoor									P	P	P	P	<u>P</u>					
Slaughtering																C		8,32
Sports Club										P		P						
Storage Building (Detached)	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A				
Storage Facility - Indoor Self-Storage								C	C	C					C	C		27
Storage Facility - Mini-Storage															C	C		32
Swimming Pool - Community	C	C	C	C	C	C												42
Swimming Pool - Private	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A			A	
Taxi Service									P	C					P			
Tattoo Studio/ Body-Piercing								C	P		C		<u>C</u>					5
Telecommunications Facility, Class I	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	P	17,23
Telecommunication Facility, Class II	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	P	17,23
Telecommunications Facility, Class III	C	C	C	C	C	C	C	C	C	C	C	C	<u>C</u>	C	C	C	C	17,23
Television or Radio Studio									P	P	P	P	<u>P</u>	<u>P</u>	P			
Travel Agency or Bureau							P	P	P	P	P	P	<u>P</u>					
Travel Trailer Park									C									45
Utilities and Equipment, Essential	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	P	
Urban Agriculture	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	P	50
Urban Farm							C	C	P	P	C		<u>P</u>		P	P	C	50
Utility - Essential Public	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	P	
Warehousing or Storage Yard (Exc. Junkyard)									P	P					P	P		
Waste Disposal-Industrial																C		
Wildlife Preserve	C	C	C															9
Yard Sale	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A	A	A	A	47
Zoo									C									

4) Add ARTICLE 16: CORRIDOR VILLAGE DISTRICT

ARTICLE 16
CORRIDOR VILLAGE DISTRICT
Contents

Sec. 16-010 Purpose
Sec. 16-020 Lot Provisions

- Sec. 16-030 Setbacks
- Sec. 16-040 Building Height and Width
- Sec. 16-050 Design Criteria and Performance Standards
- Sec. 16-060 References
- Sec. 16-061 Development Standards
- Sec. 16-062 Parking
- Sec. 16-063 Signage
- Sec. 16-064 Landscaping

Sec. 16-010 Purpose

The Corridor Village District (CVD) is established to provide a flexible zoning district that works to preserve historic development patterns while still allowing for modern redevelopment to serve adjacent residential neighborhoods with convenient access to goods, services, and employment. This zoning district was originally developed under Urban Renewal efforts aimed at revitalization through reutilization and redevelopment of pedestrian-oriented, long-established, "Main Street" corridors that have experienced disinvestment or dilapidation. The standards of this district are established to provide for additional incentives to encourage the reuse of existing structures thereby preserving their distinctive character, landscape, and historic nature and design within the Corridor Village District (CVD) in accordance with the goals set forth by the Charleston Historic Landmarks Commission and with the City of Charleston Comprehensive Plan while still allowing for redevelopment of vacant parcels in a manner that is more typical of current development patterns. Corridor Village District strives to provide flexibility while maintaining high quality.

Sec. 16-020 Lot Provisions

A. Single Family Dwelling

1. The minimum lot size shall be 4,000 square feet for detached single-family structures.
2. The minimum lot frontage shall be 40 feet for detached single-family structures. The minimum lot frontage for attached rowhouse/townhouse unit when subdivided shall be 20 feet. The frontage requirement may be waived for a parcel not fronting on an existing road if the parcel is served by a proper right-of-way.
3. Maximum lot coverage shall be 60 percent.

B. Multi-family residential uses

1. The minimum lot size shall be 4,000 square feet.
2. The minimum lot frontage shall be 40 feet. The frontage requirement may be waived for a parcel not fronting on an existing road if the parcel is served by a proper right-of-way.
3. Maximum lot coverage shall be 100 percent.

C. Non-residential uses

1. No minimum lot size shall be required.
2. No minimum lot frontage shall be required.
3. Maximum lot coverage shall be 100 percent.

Sec. 15-030 Setbacks

A. Single-Family Residential:

1. The alignment provisions of Sec. 21-020 (C) apply.
 2. Side setback: 5 feet; 0 feet for interior walls of a rowhouse/townhouse unit when subdivided.
 3. Rear setback: 20 feet
 4. Accessory structures shall be located no closer than 3 feet to any rear or side property line.
- B. Non-residential and Multi-Family Residential uses:
1. Where the Planning Director finds a clearly prevailing development pattern, the alignment provisions of Sec. 21-020 (C) apply.
Where the Planning Director does not find a clearly prevailing development pattern the front setback shall be: Maximum of 15' in order to maintain a clearly defined street edge and allow slight variations in design such as substantial landscaping and street furniture.
 2. Side setback: 0 feet
 3. Rear setback: 0 feet
4. Accessory structures shall be located no closer than 3 feet to any rear or side property line.

Sec. 16-040 Height and Width

- A. The maximum building height in the CVD district shall not exceed (4) stories or forty-eight (48) feet.

Sec. 15-050 Design Criteria and Performance Standards

- A. All construction shall substantially conform in street orientation and massing to the character of neighborhood.
- B. Single family, duplex, and triplex homes shall have substantial front porches oriented toward primary street frontage.
- C. All conversions of residential structures to non-single-family-residential uses shall maintain those architectural features which distinguish the structure as residential for the purpose of preserving the stability and value of the surrounding residential structures and uses that remain including but not limited to front porches, primary façade window and door fenestration/transparency, and existing front yard landscaped areas.
- D. New or substantial modification projects shall demonstrate the following:
1. Primary building entrances shall face and open directly to the primary street frontage or onto the public sidewalk adjacent to the primary street, or onto an outdoor dining area or plaza adjacent to the public sidewalk. Primary building entrances shall be recessed.
 2. Mechanical equipment, satellite dishes, and other utility hardware, whether located on the roof or exterior of the building or on the ground adjacent to it and dumpster areas shall be screened from the public view and with materials identical to or strongly similar to building materials or by heavy landscaping that will be effective in winter or they shall be located so as not to be visible from any public way. In no case shall wooden fencing be used as a rooftop equipment screen. Sliding security gates across the front entrances of structures are prohibited.

Sec. 16-060 Permitted, Accessory and Conditional Uses

See Permitted Land Use Table.

Sec. 16-061 Development Standards

See Development Standards Table.

Sec. 16-062 Parking

See Article 22.

Special Provision in the CVD:

A. Reduction or elimination of the parking requirements may be allowed if one or more of the following conditions is present:

1. Off-street public parking areas, public parking buildings, or approved accessory parking lots are located within 300 feet of the use.
2. Shared and accessory parking is provided consistent with the criteria in Section 22-060-04 of the Ordinance.

B. In the case of adaptive reuse of an existing building that has no or limited parking provided the parking requirements shall be waived in order to encourage compatible reuse and mixed use development.

Sec. 16-063 Signage

See Article 23.

Sec. 16-064 Landscaping

See Article 24.

5) **ARTICLE 23 SIGNS**

Amend section 23-080:

Sec. 23-080 On-Premise Signs Permitted in Commercial and Industrial Districts (C-4, C-8, C-10, C-12, CBD, CVD, UCD, PMC, I-2, I-4)

Amend section 23-080-02:

Sec. 23-080-02 Supplemental Regulations for Blade Signs in the CBD, CVD and UCD Districts

Blade signs are permitted in the CBD, CVD and UCD zoning districts provided the following conditions are met:

- A. Such signs may project over a public right-of-way but never into the vehicular travel lane or parking area of a public street.
- B. Shall be at least nine (9) feet above ground level and no more than twelve (12) feet above ground level.
- C. Shall not exceed thirty (36) inches in width and twenty four (24) inches in height, excluding the structural bracket.
- D. Shall not project more than forty-eight (48) inches from the façade of the structure or beyond the curb of any sidewalk, whichever is less.
- E. Shall not be internally illuminated.

Amend Table 23-080.01

Table 23-080.01 On-Premise Signs Permitted in Commercial and Industrial Districts

On-Premise Signs Permitted in Commercial and Industrial Districts (C-4, C-8, C-10, C-12, CBD, CVD, UCD, PMC, I-2 and I-4)				
Type	Maximum Number	Maximum Area	Max. Height	Minimum Setback
Signs Permitted in the C-4 District				
Building Signplates	1 per public entrance	2 sq ft	NA	NA
Shingle Signs	1 per public entrance	4 sq ft	NA	NA
Wall, Awning, Canopy or Marquee Signs	No maximum	24 sq ft + .5 sq ft per linear ft of building frontage over 50 ft	NA	NA
Temporary Signs	1 per business	32 sq ft	4 ft	5 ft from property line
Instructional Signs	Exempt from regulations when in compliance with Sec. 22-080-04.			
Signs Permitted in the C-8, C-10, I-2, I-4 and PMC Districts				
Single Parcel Commercial Establishments				
Building Signplates	1 per public entrance	2 sq ft	NA	NA
Shingle Signs	1 per public entrance	4 sq ft	NA	NA
Wall, Awning, Canopy or Marquee Signs	No maximum	1.5 sq ft per linear ft of building frontage	NA	NA
Freestanding Signs	1	50 sq ft	15 ft	5 ft from property line
Temporary Signs	2 per building	32 sq ft	4 ft	5 ft from property line
Instructional Signs	Exempt from regulations when in compliance with Sec. 22-080-04.			
Multi-tenant Commercial Establishments				
Building Signplates	1 per public entrance	2 sq ft	NA	NA
Shingle Signs	1 per public entrance	4 sq ft	NA	NA
Wall, Awning, Canopy or Marquee Signs	1 per building frontage	1.5 sq ft per linear ft of building frontage	NA	NA
Freestanding Signs	1 per lot	50 sq ft + .25 sq ft per linear ft of building frontage	20 ft. 15 ft	5 ft from property line
Temporary Signs	1 per business	32 sq ft	4 ft	5 ft from property line
Instructional Signs	Exempt from regulations when in compliance with Sec. 22-080-04.			
Signs Permitted in the C-12 District				
Single Parcel Commercial Establishments				
Building Signplates	1 per public entrance	2 sq ft	NA	NA
Shingle Signs	1 per public entrance	4 sq ft	NA	NA
Wall, Awning, Canopy or Marquee Signs	No maximum	1.5 sq ft per linear ft of building frontage	NA	NA
Freestanding Signs	1	80 sq ft	35 ft	5 ft from property line
Temporary Signs	2 per building	32 sq ft	4 ft	5 ft from property line
Instructional Signs	Exempt from regulations when in compliance with Sec. 22-080-04.			
Multi-tenant Commercial Establishments				
Building Signplates	1 per public entrance	2 sq ft	NA	NA
Shingle Signs	1 per public entrance	4 sq ft	NA	NA
Wall, Awning, Canopy or Marquee Signs	1 per building frontage	1.5 sq ft per linear ft of building frontage	NA	NA
Freestanding Signs	1 per lot	80 sq ft + .25 sq ft per linear ft of building frontage	40 ft	5 ft from property line
Temporary Signs	1 per business	32 sq ft	4 ft	5 ft from property line
Instructional Signs	Exempt from regulations when in compliance with Sec. 22-080-04.			
Signs Permitted in the CBD, CVD and UCD				
Building Signplates	1 per public entrance	2 sq ft	NA	NA
Blade Signs	1 per public street front entrance	6 sq ft	NA	NA
Wall, Awning, Canopy or Marquee Signs	1 per business per building frontage	1.5 sq ft per linear ft of building frontage*	NA	NA
Monument Signs	1 per building	24 32 sq ft	10 ft	3 ft from property line
Electronic Message Board (when in compliance with section 22-080-05)	1 per building	100 sq ft	18 ft	NA
Temporary Signs	2 per building	32 sq ft	4 ft	Flush against building
Instructional Signs	Exempt from regulations when in compliance with Sec. 22-080-04.			

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6) Renumber articles and sections accordingly

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- 7) All prior ordinances or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Bill No. 7807

Introduced in Council

Passed by Council

April 1, 2019

Introduced by

Referred to

Mary Beth Hoover

Planning Committee
Municipal Planning Commission

Bill No. 7807 amending the Zoning Ordinance of the City of Charleston, West Virginia, adopted January 1, 2006, as amended, by clarifying notification requirements for petitions related to land use in the City of Charleston and eliminating a development standard related to parking in the C-8 Village Commercial District.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHARLESTON, WEST VIRGINIA

The Zoning Ordinance for the City of Charleston, West Virginia, effective January 1, 2006, is hereby amended as follows: by clarifying written notification requirements for petitions related to land use and eliminating a development standard requiring 80% of all required parking spaces to be behind the front building line in the C-8 Village Commercial District.

1) In Article 28 Amendments to the Text and Zoning Map

Sec. 28-030 Application Procedures

A. Amendment to the Zoning Map Initiated by Petitioner

1. A request for rezoning of property shall be filed in a format prescribed by the Planning Department. ~~The request shall include a list of the property owners' names and addresses located within 250 feet of the affected area, including the subject property, as of record in the Office of the Kanawha County Assessor. The applicant must also submit the tax map and parcel numbers for the list of properties.~~ In order to defray, in part, the expenses connected with the application, a filing fee in the amount of \$125.00 shall be submitted with the application.
2. The Planning Department will conduct a formal review of the completed application.
3. The Planning Department will publish a legal advertisement describing the request for rezoning in a local newspaper of general circulation at least fifteen (15) days prior to the scheduled public hearing before the Planning Commission. ~~Notification to the property owners located within 250 feet of the affected property shall be mailed no later than ten (10) days prior to the public hearing. The Planning Director shall notify the owners of record most recently provided by the Kanawha County Tax Assessor of properties located within 250 feet of the affected property no later than ten (10) days prior to the public hearing.~~
4. The Planning Director shall cause official zoning notification signs to be placed in a prominent location on the property notifying that an application for rezoning has been made.

B. Amendments Initiated by the Governing Body

When an amendment to the Zoning Ordinance involves a change in the zoning classification or dwelling unit density of any parcel of land, the governing body shall, no later than 30 days before the public hearing:

1. Give written notice by certified mail to the landowner(s) whose property is directly involved in the proposed amendment; and
2. Publish notice of the proposed amendment in a local newspaper of general circulation as a Class II-O legal advertisement.

2) In Article 29 Conditional Uses

Sec. 29-020 Application for Conditional Use Approval

A. The applicant shall file a formal and complete application for a conditional use permit with the Planning Department. The application shall include:

1. A preliminary site plan which demonstrates the overall site layout and building locations, parking areas and circulation, access and egress locations, setbacks and buffer areas, lighting, landscaping, signage and the location and extent of existing development on adjacent parcels.

~~2. A list of the property owners' names and addresses located within 250 feet of the affected area, as of record in the office of the Kanawha County Tax Assessor. The subject property also shall be included in the affected area.~~

~~3.2.~~ Any other information deemed helpful by the applicant or necessary by the Planning Director to explain the nature of the proposed use and its consistency with the standards established by this article for conditional use permits.

~~4.3.~~ A filing fee in the amount of \$125.00. The purpose of the fee shall be to defray, in part, the expenses connected with the application.

B. The Planning Director will conduct a formal review of the complete application. As part of the formal review process, the Planning Director will notify appropriate agencies and request summaries of agency reviews.

C. The Planning Director shall publish a legal advertisement describing the request for a conditional use permit in a local newspaper of general circulation at least fifteen (15) days prior to the scheduled public hearing before the Board.

D. The Planning Director shall notify the owners of record most recently provided by the Kanawha County Tax Assessor of properties located within 250 feet of the affected property no later than ten (10) days prior to the public hearing. The Planning Director shall also cause a sign to be posted and maintained on the subject property notifying area property owners and residents that a request for a conditional use permit for the property has been made.

~~D. E.~~ The Board shall hold a duly scheduled public hearing to review the complete site plan and application for the conditional use permit request.

~~E. F.~~ If the conditional use permit is granted by the Board, the applicant receives approval and is formally notified in writing by the Planning Department.

~~F. G.~~ If the conditional use is denied by the Board, the applicant is formally notified in writing of the denial and the right to appeal the decision to the Circuit Court of Kanawha County within

thirty (30) days.

3) In Article 30 Zoning Variances

Sec. 30-020 Application for Variance

A person desiring a variance from the terms of the Zoning Ordinance shall submit a written application for a variance request with the Planning Director. An application for a variance request shall be made on forms available at the Planning Department and shall describe the specific ~~use or~~ standard from which the variance is sought. In addition, the application request shall include a copy of a site plan, drawn to an appropriate scale, which shows:

- A. The subject property
- B. The location of all existing and proposed buildings, structures and improvements to be made to the subject property
- C. Accurate dimensions of the parcel, buildings, parking areas and ingress/egress driveways
- D. Location, right-of-way and pavement width of all streets adjacent to the subject property
- E. Any other relevant information required by the Planning Director.

The application shall also be accompanied by:

~~A. Names and addresses of all property owners within 100 feet of the subject property; and,~~

~~B. A.~~ The appropriate filing fee. In order to defray, in part, the expenses connected with the application a filing fee in the amount of \$125.00 shall be submitted with the application.

~~C. B.~~ Any other relevant information required by the Planning Director.

Sec. 30-030 Procedures for Variance Approval

D. Notice of the Board hearing on the application for variance approval shall be published in a local newspaper of general circulation at least thirty (30) days prior to the hearing. ~~Notification of the property owners located within 100 feet of the affected property shall be performed no later than 10 days prior to the hearing. The Planning Director shall notify the owners of record most recently provided by the Kanawha County Tax Assessor of properties located within 100 feet of the affected property no later than ten (10) days prior to the public hearing.~~

~~Concurrently, the~~ The Planning Director shall also cause a sign to be posted and maintained on the subject property notifying area property owners and residents that a request for a variance for the property has been made.

4) In Article 11 C-8 Village Commercial District

Sec. 11-050 Performance Standards

A. All construction shall substantially conform in street orientation and massing to adjacent structures, except where this shall cause conflict with other provisions.

B. Duplex and triplex homes are encouraged to have substantial front porches oriented toward primary street frontage. Covered front porches shall not count toward the permitted maximum lot coverage.

113 ~~C. Eighty percent of all required parking spaces shall be located behind the front building line.~~

114 ~~D.C.~~ Open storage is restricted to automobile sales establishments and garden centers.

115 ~~E.D.~~ Maximum gross square footage of commercial structures is limited to 30,000.

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117 5) All prior ordinances or parts of ordinances, inconsistent with this ordinance are hereby repealed
118 to the extent of such inconsistency.

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Municipal Planning Commission

Hearing and meeting: Wednesday, January 9, 2019, at 3:00 p.m., in the Conference Room of the City Service Center, 915 Quarrier Street.

Members Present

Aric Margolis, President
Reverend Braxton Broady
Teresa Moore
Chad Robinson
Jesse Forbes
Lex Williamson
Dallas Staples
Lisa Fischer-Casto
Deanna McKinney
Mary Beth Hoover

Members Absent

Margo Teeter
Christi Smith
Adam Krason
Shawn Taylor
J.D. Stricklen

Staff Present

Dan Vriendt
John Butterworth

Call to order – Aric Margolis

MR. MARGOLIS: We would like to welcome Mary Beth Hoover, our new Council Representative on the Planning Commission.

Unfinished Business:

Rezoning: Bill No. 7801 amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, and the map made a part thereof, by rezoning from R-10 Mixed Use District to C-8 Village Commercial District property located at 706 Central Avenue, Charleston West District, Map 21, Parcels 417.1, Charleston, West Virginia.

MR. MARGOLIS: Is the applicant here to speak?

MS. SNYDER: My name is Mildred Snyder and I am the owner of 706 Central Avenue, Charleston, West Virginia. This is for the request for 706 to be a commercial building as there are some business entities that I would like to make available in the building that will be for the greater good of Charleston to be developed sometime this year. That is the reason I would like the building to become totally commercial.

MR. MARGOLIS: All right. Anything to add?

MS. SNYDER: No.

MR. MARGOLIS: Questions from the Commission? (No response.) Staff notes, please.

MR. BUTTERWORTH: In your packets you have Bill 7801 which was introduced by Councilwoman McKinney. You also see the zoning map with the proposed rezoning to C-8 highlighted in red. There's also a street view in there which we can pull up on the projector as well.

If you will consult your staff notes, this is a rezoning request and so the Planning Commission needs to assess basically the appropriateness of the zoning change considering all the permitted principle and conditional uses and also conformity with the Comprehensive Plan. The property is currently zoned R-10, which is Mixed Use District. It's developed as a single-story professional office-style building as you can see from the street view there.

Surrounding uses: If you'll look at that zoning map, you'll see R-10 to the north, C-8 to the west, R-10 to the south and east. The eastern parcel from the subject property is an AEP substation. Of course, utilities are permitted in, by conditional use, in the R-10, but it's been developed that way for a long time. The change from R-10 to C-8, you can see there that R-10 generally allows for multi-family housing, single-family housing, professional offices, and as conditional uses, art galleries, community centers, assisted living facilities, etc.

A change to C-8 would allow for also professional office, professional personal services, all classes of dwellings and, as a conditional use permit, shopping centers, bars, nightclubs and gambling establishments.

As far as conformity with the Comprehensive Plan, on the future land use map, which is on the second page of your staff notes, you'll see that this area is highlighted in purple which is identified as Mixed Use Corridor. To summarize Mixed Used Corridor is described as to promote quality development along Charleston's main corridors.

Recommendations and Findings:

Staff recommends **approval** for the following reasons:

- The rezoning is consistent with the future land use map which designates this property as "Mixed Use Corridor".
- The rezoning from R-10 to C-8 would allow for consistency between the development style of the property and the zoning classification.
- Rezoning to C-8 allows for continued beneficial use in pursuit of the comprehensive plan's "Mixed Use Corridor" allowing for a variety of residential and commercial uses along Central Avenue, one of Charleston's main corridors.

With that, I'll be happy to answer any questions.

MR. MARGOLIS: We're really just talking about one parcel expanding.

MR. BUTTERWORTH: This is a big minor expansion in the C-8 district to a property that's already Mixed Use in designation, yes.

MR. MARGOLIS: Any questions from the Commission? (No response.) Anybody here to speak in favor of the application? (No response.) Anybody here to speak in opposition of the application. (No response.) Hearing and seeing none, I will close the case and entertain a motion.

Motion and Vote: On motion of Chad Robinson, seconded by Dallas Staples, the Commission voted 10 to 0 to approve Bill 7801.

Approval of the December 12, 2018, Minutes: On motion of Chad Robinson, seconded by Lex Williamson, the Commission voted 10 to 0 to approve the Minutes.

Announcements:

MR. VRIENDT: I would like to add that we have three council members on the Planning Commission now because Deanna McKinney won her council seat in Ward 7 and Chad Robinson won his council seat also. We have Naomi Bays here in the audience that won At Large, and I'd like to introduce you to the new director of MOECD, Mr. Larry Malone.

MR. MARGOLIS: Welcome. I apparently was mistaken because I thought you couldn't be both on Commission and be a Council member. That's obviously false.

MR. VRIENDT: The Board of Zoning Appeals you're not allowed to be on any other city boards because they're like a quasi-judicial entity.

MS. MOORE: I'm like Aric. When we first came on Commission, we were told the only Council person was that person.

MR. VRIENDT: No. It can be open to anybody as long as they're a resident of the City of Charleston.

MR. BUTTERWORTH: I think there needs to be one Council member.

MR. MARGOLIS: There's always a requirement for the Planning Committee Chairperson to be on this, right?

MR. VRIENDT: It doesn't have to be the Chair.

MR. MARGOLIS: Will there be a representative of the new Mayor's Office?

MR. VRIENDT: There will and I don't believe that's been decided.

The only other announcement I have is that we're working with the Charleston Urban Renewal Authority to update the West Side Community Renewal Plan because it's about ten years old now. Maybe at the next meeting we could have a brief presentation on that by the consultants or by Ron Butlin and also as part of the adoption process of this West Side Community Renewal Plan that will come before this committee for a vote on consistency with the Comprehensive Plan.

MR. MARGOLIS: What's next month looking like?

MR. VRIENDT: I don't know how many of you know, but in the West Side and East End Community Renewal Plans they have some zoning requirements in there. We're going to pull all those zoning requirements out of those plans and put it back in the Zoning Ordinance and that's going to require a text amendment. Specifically, the CBD Zoning Corridor Village District, we're going to pull that out of these Urban Renewal Plans and put that in the Zoning Ordinance so it's all in one place. That's a carry over from long ago bad practices of the Urban Renewal Authority asserting zoning control in the Urban Renewal districts. So, we'll have a text amendment next month.

MR. MARGOLIS: With regard to the West Side, specifically, a lot of it's R-6 I believe and I'm getting some feedback that virtually every piece of parcel is already nonconforming because they don't meet the current sizes. If you've already got some nonconforming parcels, it makes it hard to do stuff, to develop.

MR. VRIENDT: I'd say that's not really true to a large extent.

MR. MARGOLIS: Okay.

MR. VRIENDT: When we updated the Zoning Ordinance in 2007, we made even nonconforming lots buildable by right. Before, you had to get special permission on that. We also lessened the setback requirements, so if you're matching the neighborhood, you're not required to get a variance for it. I think we need to do a better job of promoting that, that you can build on these lots by right without any variances or special meeting.

Discussion:

There was a discussion about the Kanawha City greenhouse on MacCorkle Avenue.

Adjournment.

Municipal Planning Commission

Hearing and meeting: Wednesday, March 6, 2019, at 3:00 p.m., in the Conference Room of the City Service Center, 915 Quarrier Street.

Members Present

Margo Teeter
Reverend Braxton Broady
Jesse Forbes
Lex Williamson
Dallas Staples
Lisa Fischer-Casto
Mary Beth Hoover
J.D. Stricklen, non-voting member

Members Absent

Aric Margolis, in attendance but recused
Christi Smith
Teresa Moore
Chad Robinson
Deanna McKinney
Adam Krason
Shawn Taylor

Staff Present

Dan Vriendt
John Butterworth

Call to order – Jesse Forbes

MR. FORBES: I call the meeting to order. Finding that there are only seven voting members present we do not have a quorum to undertake business today. We will take up the matters on today's agenda at the April 3, 2019 regular meeting.

Adjournment.