



**Municipal Planning Commission
City Service Center – 915 Quarrier Street – Suite 6
Wednesday, May 3, 2023
3:00 p.m.**

Agenda

1. Call to Order

2. Unfinished Business

Development of Significant Impact: Considering an application for a DSI at 1661 Washington Street West.

3. New Business

Text Amendment: Bill No. 7986 - A bill to amend the Zoning Ordinance of the City of Charleston, as amended, by adding Section 24-100-11 relating to off-premise electronic message boards.

Rezoning: Bill No. 7988 - A Bill 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 a R-4 district to a PMC district, the parcel situated at 3115 Virginia Avenue, Charleston, WV and Tax Map 19, Parcel 15 of Kanawha City. **POSTPONED BY REQUEST OF APPLICANT**

Rezoning: Bill No. 7989 - A Bill 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 a combination of a R-O and C-8 districts to a solely C-8 district, the lots 15 and 16 of the parcel situated at 4415 MacCorkle Ave SE, Charleston, WV and Tax Map 16, Parcel 123 of Kanawha City.

Text Amendment: Bill No. 7990 - A Bill to repeal and replace Chapter 91, Article II of the Code of the City of Charleston, as amended, relating to updating the floodplain regulations.

4. Minutes of the April 5, 2023 MPC meeting

5. Announcements

6. Adjournment

***Meetings may be recorded and broadcast via internet <https://charlestonwv.civicclerk.com>**

Municipal Planning Commission

Application and Checklist for DSI



MPC Hearing Date: 04/05/2023

DSI X or Major DSI

Applicant Information	Property Information
Name: Washington Greene L.P.	Address: 1661 Washington Street, Charleston
Address: 500 S. Front Street, 10th Floor Columbus, OH 43215	Tax Map and Parcel: 12-10-220, 12-20-221, 12-10-222, 12-10-223
Phone: 614-396-3200	Zoning District: CVD
Agents Name, Address, Phone (If other than Applicant): Anne Little, VP of Development alittle@wodagroup.com	Property Owner and Mailing Address: (if other than applicant)

IMPORTANT: This application must be typed or legibly printed and filed by the filing deadline with the Planning Department in person or by mail to 915 Quarrier Street, Suite 1 Charleston, WV 25301. The following items must accompany this application:

A. Developments of Significant Impact

Applications for permits for Developments of Significant Impact (DSI), as defined by the ordinance shall be accompanied by a site plan drawn to scale that includes the following for the use of the Planning Director:

1. The actual dimensions, size, square footage, and shape of the lot to be built upon as shown on an actual survey by a licensed land surveyor or registered professional engineer licensed by the State of West Virginia
2. The exact sizes and locations of existing structures on the lot, if any
3. The location, square footage, and dimensions of the proposed structure or alteration
4. The location of the lot with respect to adjacent rights-of-way
5. The existing and proposed uses of the structure and land
6. The number of employees, families, housekeeping units, bedrooms, or rental units the structure is designed to accommodate
7. The location and dimensions of off-street parking and means of ingress and egress for such space
8. Height of structure
9. Setbacks
10. Buffer yard and screening, if applicable
11. Location of garbage collection area and screening
12. Street typical for internal roadways
13. Location and size of drainage structures
14. Location of stormwater detention system, if applicable
15. Utility lines and easements
16. Signature of applicant
17. Drainage plan and drainage calculations that bear the name, address, signature and seal of a registered professional engineer, with floodplain zones clearly denoted, a typical of all swales, and a design of the drop inlets
18. If applicable, design of stormwater detention system and drainage calculations that bear the name, address,

and seal of a registered professional engineer and that meet the requirements of Article 24 of this ordinance and the design standards of the United States Natural Resource Conservation Service

19. Parking plan
20. Landscaping plan
21. Sign plan
22. Approved WV Division of Highways Access Permit, if applicable
23. Approved State of West Virginia NPDES General Permit for Storm Water Associated with Industrial (Construction) Activity, if applicable
24. Any other such information concerning the lot or neighboring lots as may be required by the Planning Director to determine conformance with, and provide for the enforcement of, this ordinance; where deemed necessary, the Planning Director may require that in the case of accessory structures or minor Additions, all dimensions shown on plans relating to the size of the lot and the location of the structure(s) be based on an actual survey by a registered land surveyor or professional engineer licensed by the State of West Virginia.
25. Where the Planning Director determines that any of the items listed above is unnecessary, he or she may waive its requirement.
26. No site plan shall be accepted unless it is complete and is verified as to the correctness of information given by the signature of the applicant attesting thereto.
27. The Planning Director may require that the lot and location of the building thereon shall be staked out on the ground before construction of a dwelling unit or primary structure is begun. The Planning Director, where deemed appropriate, may require the same for accessory structures or minor Additions. In any case, it shall be the owner's responsibility to ensure that a structure is placed on his property according to the approved site plan.
28. Site plans approved by the Planning Commission authorize only the use, arrangement, and construction set forth in such approved site plans and no other use, arrangement or construction. Furthermore, the approval of a site plan shall not be construed to be approval of any violation of the provisions of this ordinance. The issuance of a building permit based upon site plans given approval by the Planning Commission shall not prevent the Planning Director from thereafter requiring the correction of errors in said site plans or from preventing operations from being carried on when in violation with this ordinance.
29. One copy of the site plan submitted for a permit as required above for the Planning Commission shall be returned to the applicant after the Planning Commission has marked such copy as either approved or denied as to the provisions of this ordinance and attested to same by the signature of the Planning Director. The original, similarly marked, shall be retained by the Planning Department.

B. Major Developments of Significant Impact

Major Developments of Significant Impact (MDSI), as defined by the ordinance, are those that are of such scope and scale that they have an impact on the region in terms of the transportation network, the environment, the schools, etc. Such projects include regional shopping centers and large scale residential developments. All applications for a MDSI shall be accompanied by a site plan, submitted under the seal and signature of a professional engineer licensed to practice by the State of West Virginia, and shall observe the following format:

1. Sheet One (Title Sheet)
 - a. Full legal description with sufficient reference to section corners and boundary map of the subject project, including appropriate benchmark references
 - b. Name of the Project
 - c. Name and address of the owner, developer, and person who prepared the plans
 - d. Total acreage within the project and the number of residential dwelling units or the gross square footage of non-residential buildings
 - e. Existing zoning of the subject land and all adjacent lands
 - f. Boundary lines of adjacent tracts of land, showing owners of record
 - g. A key or vicinity map at a scale of one inch equals four hundred feet or less, showing the boundaries of the proposed project and covering the general area within which it is to be located
 - h. A statement of the proposed uses, stating the type and size of residential and non-residential buildings, and the type of business, commercial or industry, so as to reveal the effect of the project

on traffic, fire hazards, or congestion of population

- i. Proposed covenants, restrictions, by-laws, or articles of incorporation affecting property owners and/or homeowners associations; and
 - j. Statement of proposed starting and completion dates for the project, including any proposed phasing and sequencing.
2. Sheet Two (Existing Site Conditions)
 - a. Location, widths, and type of construction of all existing streets, street names, alleys, or other public ways and easements, street classifications, railroad and utility rights-of-way or easements, parks, wooded areas, cemeteries, watercourses, drainage ditches, designated wetlands, low areas subject to flooding, permanent buildings, bridges, and other data considered pertinent by the Commission or the Planning Director for the subject land, and within three hundred (300) feet of the proposed project;
 - b. Existing water mains, fire hydrants, storm sewers, sanitary sewers, culverts, bridges, and other utility structures or facilities within, adjacent to, or serving the subject land, including pipe sizes, grades, and locations;
 - c. Existing contours based in U.S.G.S. datum with intervals of not more than five (5) feet where the slope is greater than ten (10) percent and not more than two (2) feet where the slope is less than ten (10) percent. Elevations shall be based on sea level datum.
 - d. The water elevation at the date of the survey of lakes, streams, or designated wetlands within the project or affecting it, as well as the approximate high and low water elevation of such lakes, streams, or designated wetlands. The plan shall also show the contour line of the regulatory flood (100-year flood) elevation and the contour line for the floodway fringe boundary. All elevations shall be based on sea level datum.
3. Sheet Three (Proposed Site Conditions)
 - a. Location, widths, and type of construction of all existing and proposed streets, street names, alleys, or other public ways and easements, railroad and utility rights-of-way or easements, parks, wooded areas, cemeteries, watercourses, drainage ditches, designated wetlands, low areas subject to flooding, permanent buildings, bridges, and other data considered pertinent by the Commission or the Planning Director for the subject land, and within three hundred (300) feet of the proposed project.
 - b. Existing and proposed water mains, fire hydrants, storm sewers, sanitary sewers, culverts, bridges, and other utility structures or facilities within, adjacent to, or serving the subject land, including pipe sizes, grades, and locations.
 - c. Building setback lines, showing dimensions.
 - d. Full description and details, including engineering calculations, for provision of storm water drainage plans and facilities, including basin mapping. The standard for drainage detention is that the run-off rate of a 100-year post-development event cannot exceed the rate for a 10-year pre-development event.
 - e. Internal and perimeter sidewalk system/pedestrian circulation plan.
 - f. Proposed contours with intervals of not more than five (5) feet where the slope is greater than ten (10) percent and not more than two (2) feet where the slope is less than ten (10) percent. The plan shall also show the contour line for the floodway fringe boundary.
 - g. Show the location and detail plans for all trash dumpsters.
4. Sheet Four (Erosion Control Plan)
 - a. Location, widths, and type of construction of all existing and proposed streets, street names, alleys, or other public ways and easements, railroad and utility rights-of-way or easements, parks, wooded areas, cemeteries, watercourses, drainage ditches, designated wetlands, low areas subject to flooding, permanent buildings, bridges, and other data considered pertinent by the Commission or the Planning Director for the subject land, and within three hundred (300) feet of the proposed project.
 - b. Proposed contours with intervals of not more than five (5) feet where the slope is greater than ten (10) percent and not more than two (2) feet where the slope is less than ten (10) percent.

- c. Details of terrain and area drainage, including the identity and location of watercourses, intermittent and perennial streams, receiving waters, and springs, and the total acreage of land that will be disturbed.
 - d. The direction of drainage flow and the approximate grade of all existing or proposed streets.
 - e. Detailed plans and locations of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs, and other protective devices to be constructed with, or as part of, the proposed project, together with a map showing the drainage area, the complete drainage network, including outfall lines and natural drainage ways which may be affected by the proposed development, and the estimated runoff of the area served by the drains.
 - f. A description of the methods to be employed in disposing of soil and other material that is removed from the grading site, including the location of the disposal site.
 - g. Measures for soil erosion and sediment control which must meet or exceed the methods and standards adopted by the West Virginia Department of Natural Resources and/or set forth in the West Virginia Handbook For Erosion Control in Developing Areas and which must comply with the design principles, performance standards, and requirements set forth.
 - h. A schedule of the sequence of installation of planned erosion and sediment control measures as related to the progress of the project, including the total area of soil surface that is to be disturbed during each stage, the anticipated starting and completion dates, and a schedule for the maintenance of such measures.
 - i. Copies of the letter of intent and response from the Kanawha County Soil and Water Conservation District office for compliance, when required.
 - j. Any other information reasonably required by the Commission or Planning Director to properly evaluate the plan.
5. Sheet Five (Landscape Plan)
- A landscape plan prepared to the standards specified in this zoning ordinance.
6. Sheet Six (Plat-like dedication sheet, if necessary)
- The following information shall be submitted if a plat-like dedication document for easements and rights-of-way is deemed necessary by the Planning Commission:
- a. Parcels of land proposed to be dedicated or reserved for public use, or reserved for common use of all property owners within the project, with the proposed conditions and maintenance requirements, if any, shall be designated as such and clearly labeled on the plans.
 - b. Radii, internal angles, points of curvature; tangent bearings and lengths of all arcs, chord, and chord bearings.
 - c. Accurate location of all survey monuments erected, corners and other points established in the field in their proper places.
7. All sheets shall contain the following information:
- a. The proposed name by which the project shall be legally and commonly known.
 - b. Date of survey, scale, and north point.
 - c. All lots or out lots intended for sale or lease shall be designated with boundary lines and numbered or labeled for identification purposes.
 - d. Private parks, common areas, or excluded parcels shall be designated as such and clearly labeled on the plans.
 - e. Such other information as may be deemed necessary for proper review of the site plan by the Planning Director, City Engineer, or Planning Commission.
 - f. All necessary reference points tying the subject property to the appropriate section corners.
 - g. Each sheet shall be sealed and signed by the professional engineer preparing the drawings.
 - h. All sheets shall be tied to state plane coordinates for horizontal and vertical controls.
 - i. Names and addresses of the parties within 200 feet of the property.
 - j. The applicant must provide stamped, self-addressed envelopes in sufficient quantities to provide

notification to the parties identified in the item above.

I hereby affirm that all of the statements and information contained in or filed with this application are true and correct to the best of my knowledge.



Signature

3/9/23

Date

Planning Department Use Only

Comments:

Information pertaining to the property proposed for rezoning:

Application reviewed by:

MPC Action: ☐ Recommended

☐ Not recommended

Planning Official Signature and Title

Date

City of Charleston, West Virginia
TRANSMITTAL

TO: ☐ Building Department ☐ City Engineer
☐ Planning Department ☐ Sanitary Board
☐ Traffic Operations ☐ CURA
☐ Fire Department

FROM: Permit Coordinator
C/O Building Department

3/14/2023

PROJECT OWNER NAME: WASHINGTON GREENE, L.P.
PROJECT DESCRIPTION: DSI Application for Washington Greene Apartments

PERMIT NUMBER: DSI-23-0033
PROJECT ADDRESS: 1661 WASHINGTON ST W CHARLESTON, WV 25387
CONTRACTOR:
APPLICANT: WASHINGTON GREENE, L.P.

Please review the attached materials and return your comments with the necessary approvals or conditions. **Plans should be stamped by your department, signed and dated, and comments returned on this form or an attachment.**

REVIEW: _____

This project is approved as submitted: ☐

This project requires the following/or attached revisions or additional information: ☐

COMMENTS:

Reviewed By

Date



NORTH ELEVATION
N.T.S.



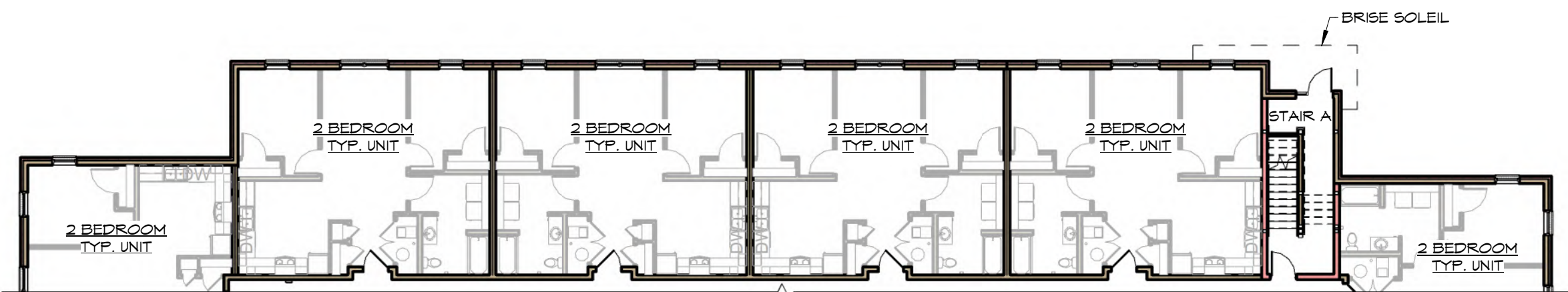
EAST ELEVATION
N.T.S.



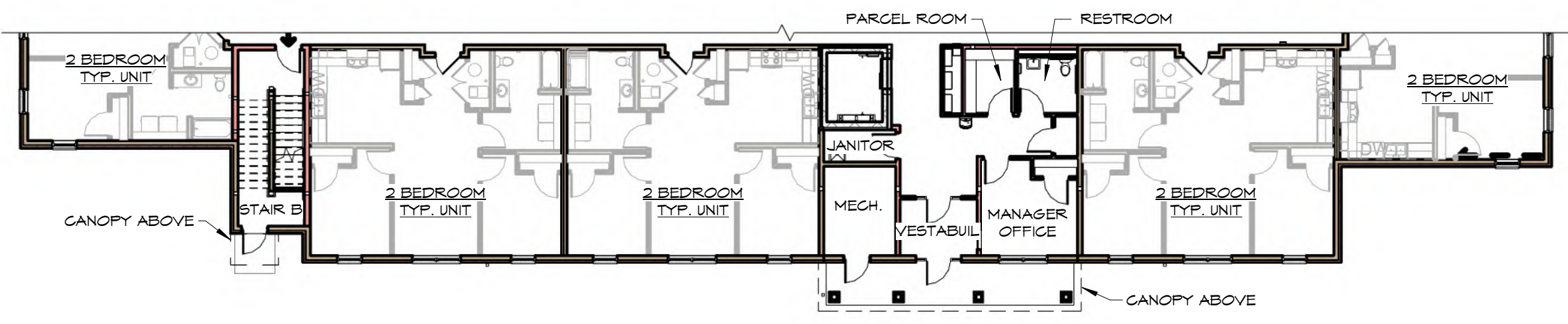
WEST ELEVATION
N.T.S.



SOUTH ELEVATION
N.T.S.



SECOND FLOOR PLAN (PARITAL)
N.T.S.



FIRST FLOOR PLAN (PARITAL)
N.T.S.

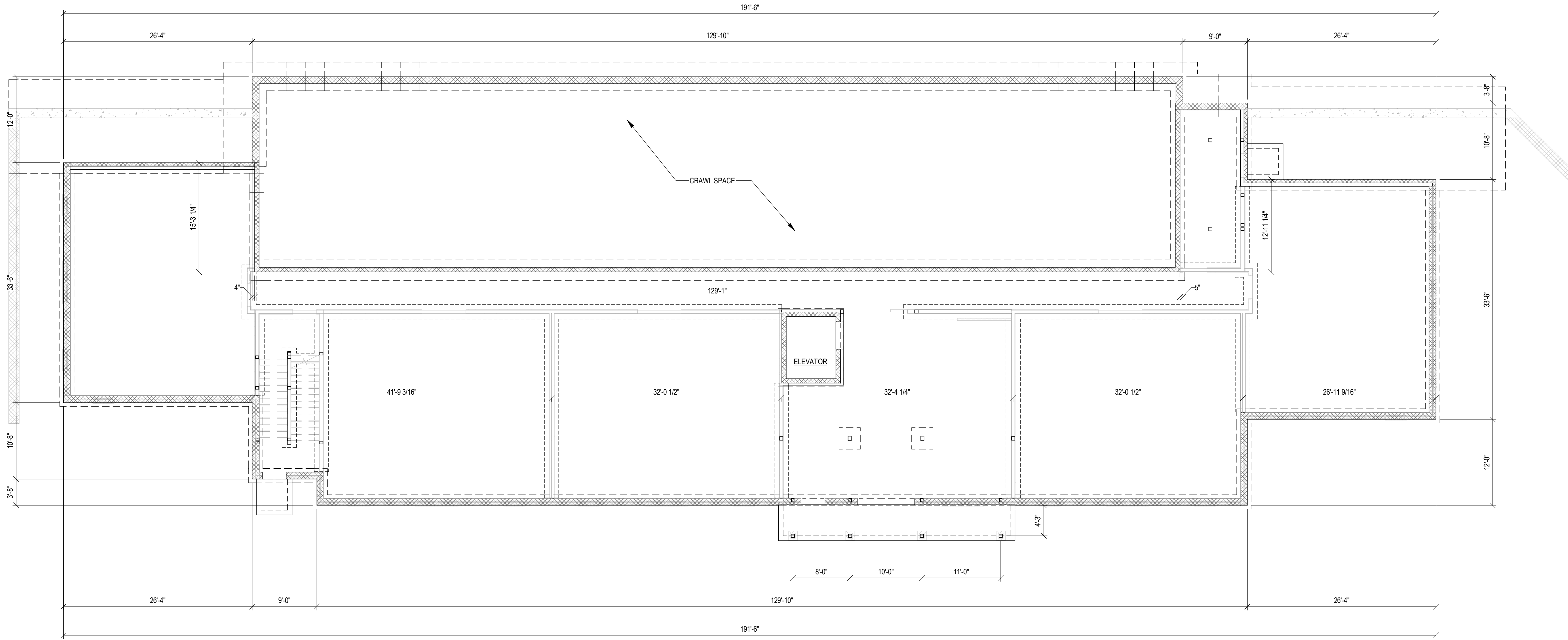


PRELIMINARY
THIS DRAWING IS FOR
INFORMATION ONLY NOT FOR
BIDDING OR CONSTRUCTION



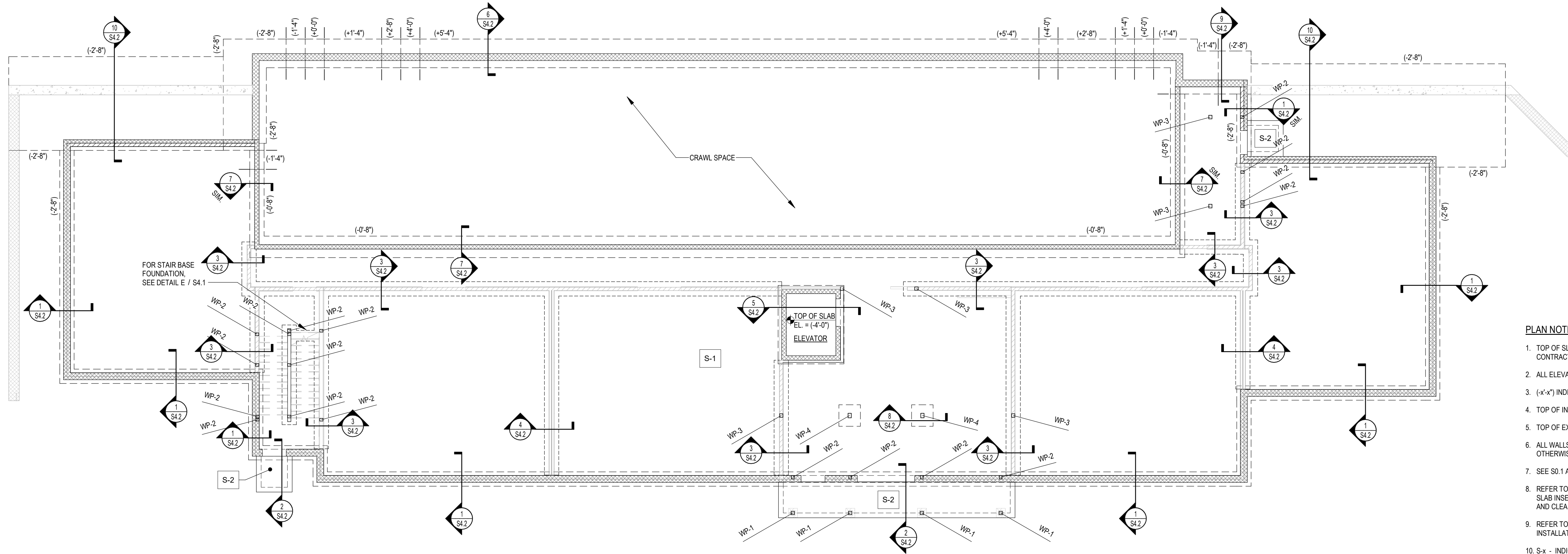


SITE LUMINAIRE SCHEDULE							
SYMBOL	TYPE	LAMP SOURCE	VOLTS	FIXTURE WATTS	MTG	DESCRIPTION	CATALOG NO.
	SA3	8800 LUMEN LED 4000K	120-277V	80	20' POLE (RSA-B S-20-40-B-1)	POLE-MOUNTED LED SITE AREA FIXTURE WITH TYPE III LIGHT DISTRIBUTION, DIE-CAST ALUMINUM CONSTRUCTION, GASKETED WITH A WEATHERPROOF SEAL AND FINISH AS SPECIFIED BY ARCHITECT/TOWNER. PROVIDE WITH 20' ALUMINUM POLE FOR SINGLE FIXTURE MOUNT WITH FINISH TO MATCH FIXTURE FINISH. CONFIRM DRILL PATTERN PRIOR TO ORDERING	PROGRESS LIGHTING PCPAS 80 3 XX
	SA3A	5600 LUMEN LED 4000K	120-277V	55	10' POLE (RSA-B S-10-40-B-1)	POLE-MOUNTED LED SITE AREA FIXTURE WITH TYPE III LIGHT DISTRIBUTION, DIE-CAST ALUMINUM CONSTRUCTION, GASKETED WITH A WEATHERPROOF SEAL AND FINISH AS SPECIFIED BY ARCHITECT/TOWNER. PROVIDE WITH 10' ALUMINUM POLE FOR SINGLE FIXTURE MOUNT WITH FINISH TO MATCH FIXTURE FINISH. CONFIRM DRILL PATTERN PRIOR TO ORDERING	PROGRESS LIGHTING PCPAS 55 3 XX
	SA3-2	17600 LUMEN LED 4000K	120-277V	160	20' POLE (RSA-B S-20-40-B-1)	(2) POLE-MOUNTED LED SITE AREA FIXTURE WITH TYPE III LIGHT DISTRIBUTION MOUNTED AT 180". DIE-CAST ALUMINUM CONSTRUCTION, GASKETED WITH A WEATHERPROOF SEAL AND FINISH AS SPECIFIED BY ARCHITECT/TOWNER. PROVIDE WITH 20' ALUMINUM POLE FOR TWO FIXTURES MOUNTED AT 180" WITH FINISH TO MATCH FIXTURE FINISH. CONFIRM DRILL PATTERN PRIOR TO ORDERING	PROGRESS LIGHTING (2) PCPAS 80 3 XX
	SB2	2420 LUMEN LED 4000K	120V	28.6	WALL	LED WALL PACK WITH TYPE II LIGHT DISTRIBUTION, DIE-CAST ALUMINUM HOUSING LISTED FOR WET LOCATIONS AND BLACK FINISH	PROGRESS LIGHTING LNC2-12L1-4K-2-2



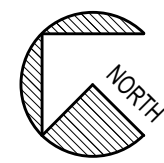
FOUNDATION DIMENSION PLAN

SCALE: 1/8" = 1'-0"



FOUNDATION PLAN

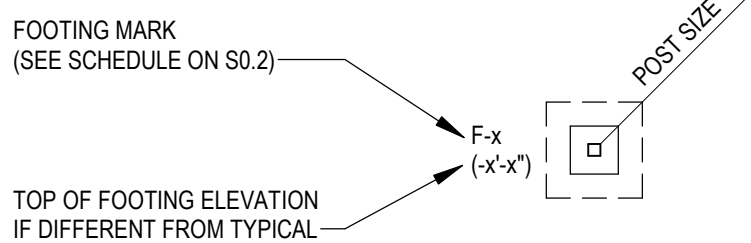
SCALE: 1/8" = 1'-0"

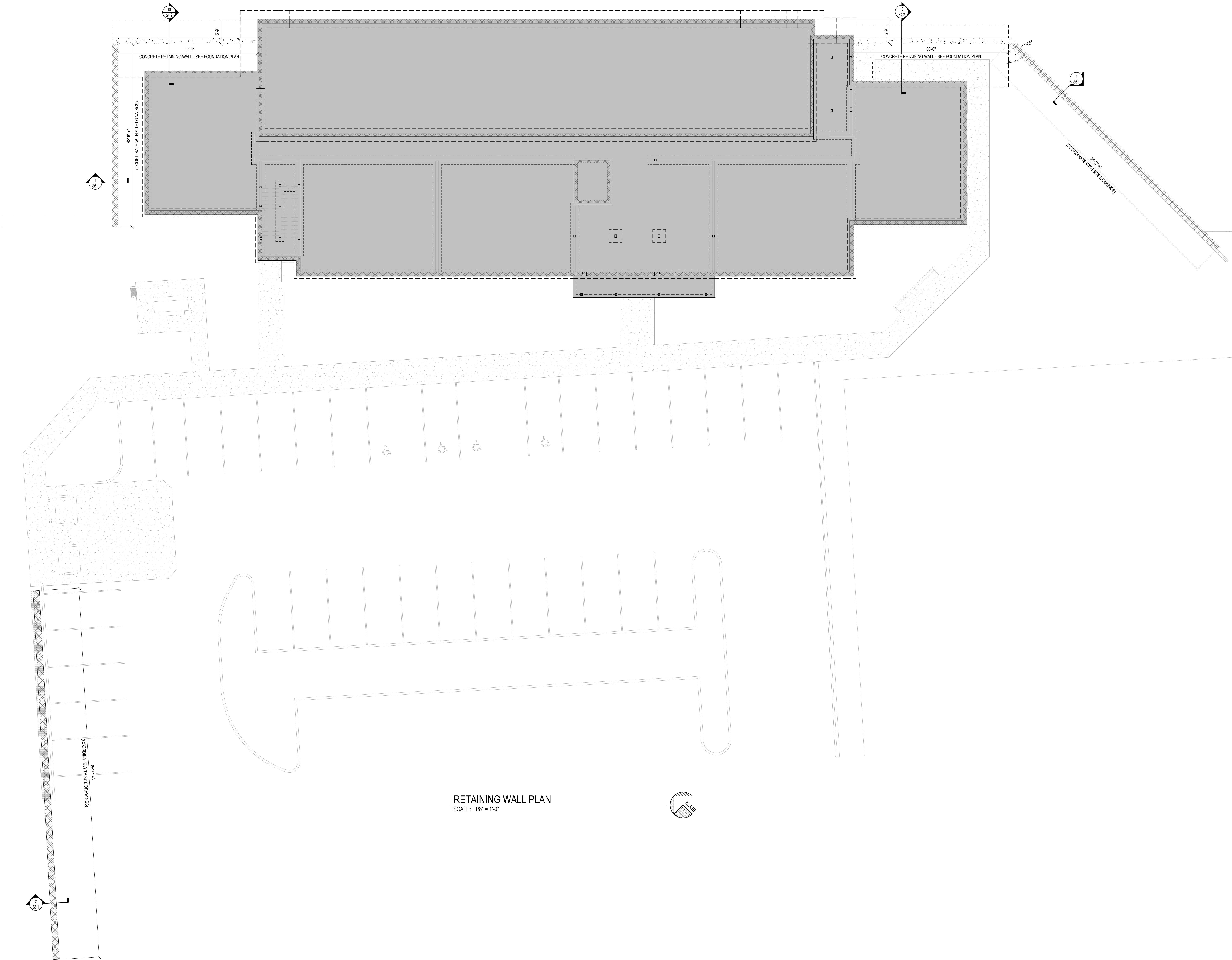


PLAN NOTES

1. TOP OF SLAB ELEVATION = (+0.25) = REFERENCE ELEVATION (0'-0") UNLESS NOTED. CONTRACTOR TO FIELD VERIFY.
2. ALL ELEVATIONS INDICATED ON THE DRAWINGS ARE TAKEN FROM REFERENCE ELEVATION.
3. (-x'-x") INDICATES TOP OF FOOTING ELEVATION. STEP FOOTING AS REQUIRED PER DETAIL C / S4.1
4. TOP OF INTERIOR FOOTING ELEVATION = (-0'-8") UNLESS NOTED.
5. TOP OF EXTERIOR FOOTING ELEVATION = (-2'-8") UNLESS NOTED.
6. ALL WALLS AND POSTS SHALL BE CENTERED ON FOOTINGS UNLESS DIMENSIONED OR DETAILED OTHERWISE.
7. SEE S0.1 AND S0.2 FOR GENERAL STRUCTURAL NOTES.
8. REFER TO ARCHITECTURAL DRAWINGS FOR HOUSEKEEPING PADS, FLOOR SLOPES, FLOOR RECESSES, SLAB INSERTS, ACCESS FLOOR LAYOUT AND DETAILS, ETC. SEE MECHANICAL DRAWINGS FOR FLOOR DRAIN AND CLEANOUT LOCATIONS.
9. REFER TO SITE AND MEP DRAWINGS FOR UNDERGROUND UTILITY LOCATIONS. COORDINATE FOUNDATION INSTALLATION WITH UTILITIES. STEP FOOTING AS REQUIRED. SEE DETAIL D / S4.1
10. S-x - INDICATES SLAB TYPE. SEE FLOOR SLAB LEGEND ON SHEET S0.2.
11. SEE SHEAR WALL PLANS AND SCHEDULE FOR HOLDOWN ANCHOR INFORMATION.
12. WHERE SHOWN AND INDICATED ON SECOND FLOOR FRAMING PLAN, WALLS HATCHED THUS  INDICATE WALLS WHICH SHALL CONSIST OF (2) 2x6 STUDS AT 16" O.C. SEE GENERAL STRUCTURAL NOTES FOR ADDITIONAL INFORMATION.

COLUMN AND FOOTING KEY





pci
DESIGN GROUP
1971 E. BELTLINE AVE. NE, SUITE 201
GRAND RAPIDS, MICHIGAN 49525
PHONE: 612-330-1500
FAX: 614-396-3268

REGISTERED PROFESSIONAL ENGINEER
JOSEPH A. BENTLEY
STATE OF MICHIGAN
21879
4/10/13

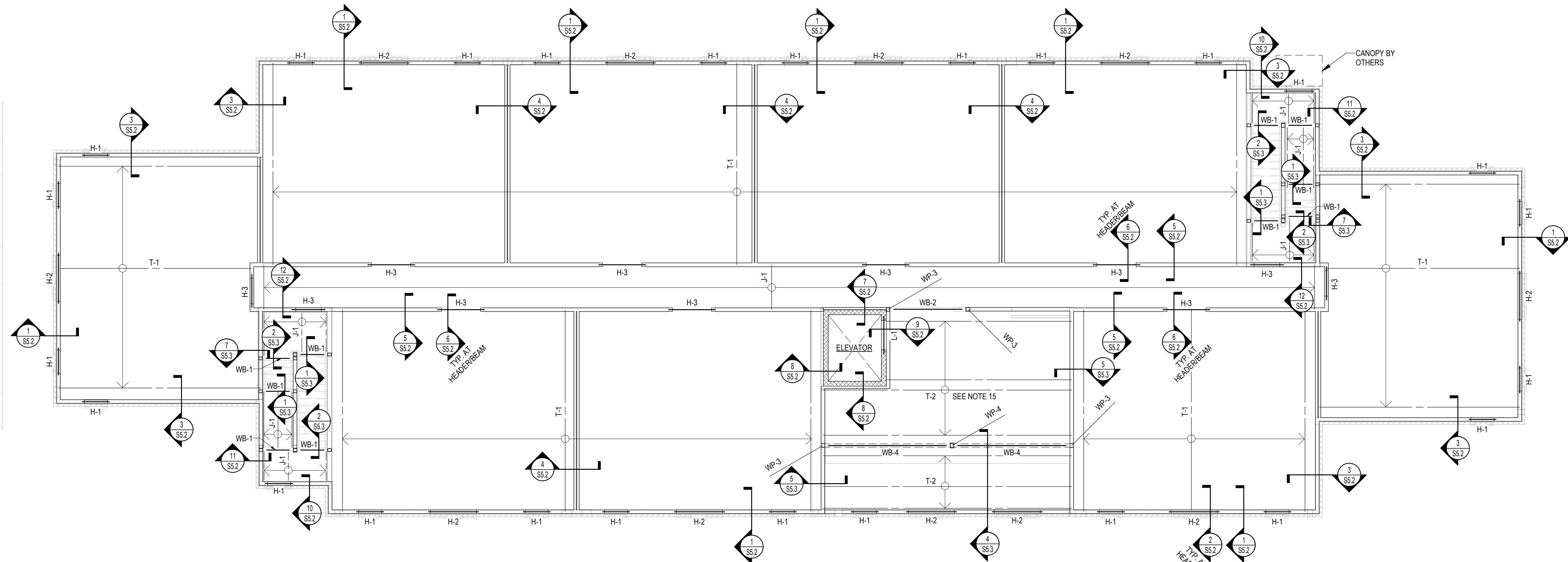
Washington Greene
1661 Washington Street West,
Charleston, WV 25387

PROVIDENCE
ENGINEERING
4955 Steubenville Pike, Suite 219
Pittsburgh, PA 15205
Phone: 412-487-2250
PEC Job Number: 222152
Certificate Number: C03513-00

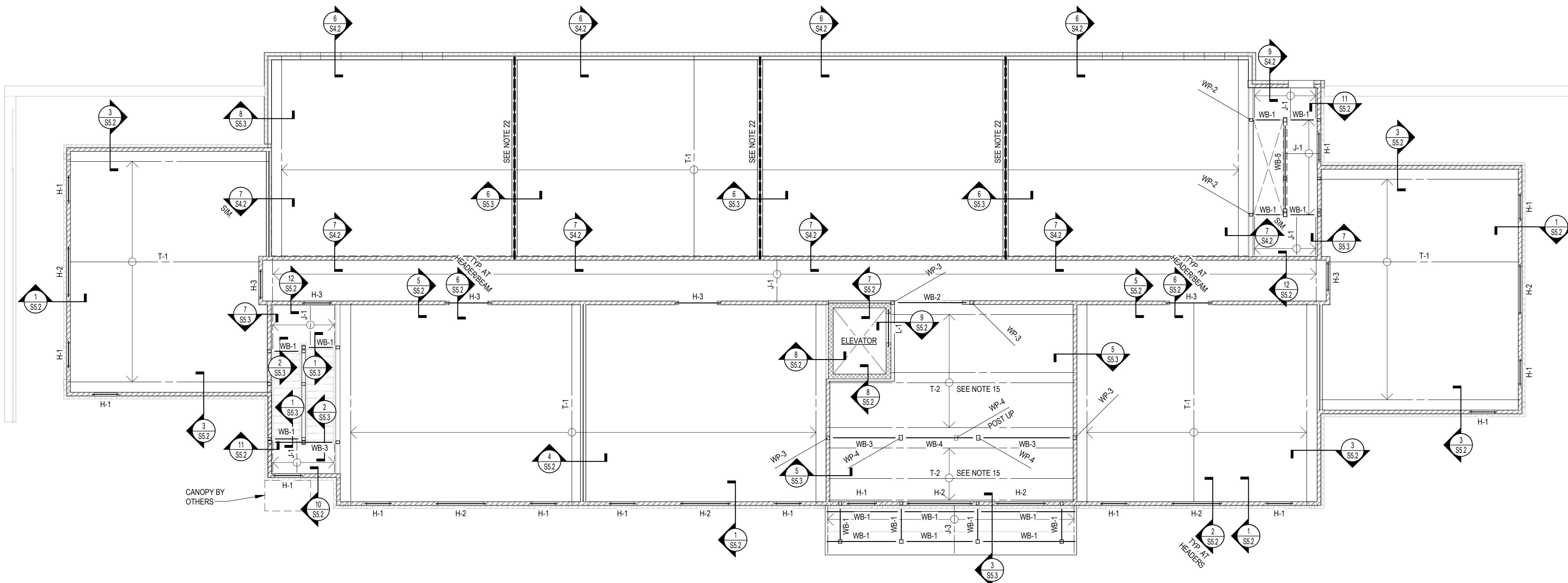
**FOUNDATION RETAINING WALL
PLAN**

ISSUANCE	
PLAN REVIEW	2023.0410
SHEET NO.	

S1.1



THIRD FLOOR FRAMING PLAN
SCALE: 1/8" = 1'-0"

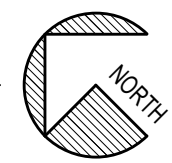
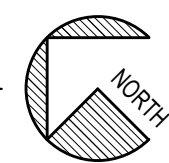
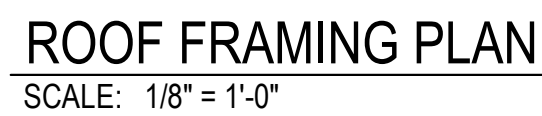


SECOND FLOOR FRAMING PLAN
SCALE: 1/8" = 1'-0"



FLOOR FRAMING PLAN NOTES

1. NOT ALL PLAN NOTES APPLY TO ALL FLOORS. SEE FRAMING PLANS FOR LEVEL SPECIFIC NOTES.
2. SEE ARCHITECTURAL DRAWINGS FOR FINISH FLOOR AND TRUSS BEARING ELEVATIONS AND WALL LOCATIONS.
3. TYPICAL FLOOR CONSTRUCTION SHALL CONSIST OF GYPCRETE WITH 1/4" SOUND MAT (SEE ARCHITECTURAL DWGS. FOR GYPCRETE THICKNESS) ON 3/4" THICK TONGUE AND GROOVE SHEATHING WITH SUBFLOOR ADHESIVE OVER PRE-ENGINEERED FLOOR TRUSSES - (TYPICAL) - U.N.O. FASTEN ALL SHEATHING WITH 10d NAILS SPACED AT 8" O.C. MAXIMUM AT INTERMEDIATE SUPPORTS AND 12" O.C. AT PANEL EDGES. ALL TONGUE AND GROOVE JOINTS SHALL BE GLUED.
4. J-x INDICATES WOOD JOIST TYPE. T-x INDICATES WOOD TRUSS TYPE. SEE WOOD JOIST/TRUSS SCHEDULE ON S0.2.
5. FLOOR FRAMING SHALL CONFORM TO FLOOR PROFILES, ELEVATIONS, TRUSS BEARINGS AND DEPTHS INDICATED ON ARCHITECTURAL DRAWINGS. PROVIDE CLEAR OPENINGS IN TRUSS WEBS FOR MECHANICAL WHERE SHOWN ON ARCHITECTURAL AND/OR MEP DWGS.
6. TRUSS MANUFACTURER TO PROVIDE FLOOR FRAMING SYSTEM AS INDICATED. MAIN FLOOR TRUSSES OF THIS SYSTEM HAVE BEEN SHOWN TO IDENTIFY THE INTENDED LOAD PATH OF THE FLOOR FRAMING. IT IS THE TRUSS MANUFACTURER'S RESPONSIBILITY TO DESIGN AND PROVIDE THESE MAIN TRUSSES AS WELL AS TRUSSES NOT SPECIFICALLY IDENTIFIED IN PLAN TO PROVIDE A COMPLETE FLOOR FRAMING SYSTEM.
7. SEE S0.1 AND S0.2 FOR GENERAL STRUCTURAL NOTES.
8. EXTERIOR WALLS AND INTERIOR BEARING WALLS ARE NOTED THUS AND ARE 2x6 STUDS AT 16" O.C. UNLESS NOTED. INTERIOR DEMISING WALLS BETWEEN UNITS ARE 2x4 STUDS AT 16" O.C. SEE GENERAL STRUCTURAL NOTES FOR ADDITIONAL INFORMATION.
9. INTERIOR NON-LOAD BEARING WALLS NOT SHOWN OR SHOWN FADED FOR CLARITY. SEE ARCHITECTURAL DRAWINGS.
10. SEE SHEAR WALL PLANS FOR SHEAR WALL TYPES, LOCATIONS, SHEATHING AND FASTENERS.
11. H-x - INDICATES HEADER BELOW REFERENCE ELEVATION OF PLAN. SEE HEADER SCHEDULE ON SHEET S0.2 FOR ALL LOAD-BEARING WALL HEADER SIZES AND TYPES. COORDINATE WITH ARCHITECTURAL DWGS. FOR SIZE AND LOCATIONS.
12. L-1 - INDICATES (2) COURSE MASONRY BOND BEAM UNTEL BELOW REFERENCE ELEVATION OF PLAN REINFORCED WITH (2) #5 BAR, CONTINUOUS TOP AND BOTTOM. SEE MASONRY SECTION OF GENERAL STRUCTURAL NOTES FOR VENEER LINTELS. COORDINATE WITH ARCHITECTURAL DWGS. FOR SIZE AND LOCATIONS.
13. FOR TYPICAL WOOD FRAMED WALL OPENINGS, SEE DETAIL G / S5.1
14. WHERE PARTITION WALL AT FLOOR ABOVE IS ORIENTED PARALLEL TO TRUSS SPAN, PROVIDE 2x4 BLOCKING AT 2'-0" O.C. TO SUPPORT PARTITION WALL ABOVE.
15. WHERE NOTED, TRUSSES TO BE DESIGNED FOR 100 PSF LIVE LOAD.
16. TRUSS DESIGNER TO PROVIDE REDUCED TRUSS SPACING AS REQUIRED FOR U480 LIVE LOAD AND U360 TOTAL CUMULATIVE LOAD DEFLECTION. TRUSS DESIGNER TO CONFIRM THAT FLOOR TRUSS DEFLECTION MEETS RECOMMENDATIONS AND REQUIREMENTS OF GYPCRETE MANUFACTURER.
17. COORDINATE FLOOR PENETRATION SIZE AND LOCATIONS WITH ARCHITECTURAL AND MECHANICAL DRAWINGS. PROVIDE ORDER TRUSSES / HEADERS AT OPENINGS AS REQUIRED.
18. WP-x - INDICATE POSTS WHICH SUPPORT FRAMING ON LEVELS ABOVE. ALL POSTS SHALL BE CONTINUOUS TO THE FOUNDATION. SEE WOOD POST SCHEDULE ON S0.2.
19. ALLOW FOR TEMPORARY EXPANSION IN FLOOR SHEATHING PER DETAIL D / S5.1 AND THE GENERAL STRUCTURAL NOTES ON S0.2.
20. WHERE SHOWN, WALLS HATCHED THUS INDICATE WALLS WHICH SHALL CONSIST OF (2) 2x6 STUDS AT 16" O.C. FROM FIRST FLOOR TO SECOND FLOOR. SEE GENERAL STRUCTURAL NOTES FOR ADDITIONAL INFORMATION.
21. COORDINATE FIRE RATING OF FLOOR AND WALL SYSTEMS WITH ARCHITECTURAL DWGS.
22. TRUSSES SHOWN THUS INDICATE SHEAR TRUSSES THAT SHALL ALIGN WITH SHEAR WALLS ABOVE. SEE ARCHITECTURAL DWGS. FOR ADDITIONAL REQUIREMENTS INCLUDING DRAFTSTOPPING. SHEAR LOAD = 4.5 KIPS PER TRUSS (WIND LOAD).



2. SEE ARCHITECTURAL DRAWINGS FOR ROOF BRACING ELEVATIONS AND WALL LOCATIONS.
3. ROOF SHEATHING SHALL BE 3/4" THICK OSB. FASTEN SHEATHING PER GENERAL STRUCTURAL NOTES ON S0.2.
4. ROOF FRAMING SHALL CONFORM TO ROOF PROFILES, SHEATHING, HEEL DEPTHS, STRUCTURAL NOTES AND SLOPES INDICATED ON ARCHITECTURAL DRAWINGS.
5. 4x4 INDICATES WOOD JOIST TYPE. 2x INDICATES WOOD TRUSS TYPE. SEE WOOD JOIST/TRUSS SCHEDULE ON S0.2.
6. A SCHEMATIC TRUSS LAYOUT HAS BEEN PROVIDED FOR THE WOOD TRUSSES. THIS LAYOUT HAS BEEN TAKEN INTO CONSIDERATION IN THE STRUCTURAL DESIGN OF THE SUPPORTING STRUCTURE. NO ALTERNATE TRUSS LAYOUTS MAY BE UTILIZED WITHOUT THE PERMISSION OF THE STRUCTURAL ENGINEER.
7. SEE WOOD TRUSS MANUFACTURER'S SHOP DRAWINGS FOR PERMANENT TRUSS BRACING DETAILS AND ADDITIONAL TRUSS WEB AND CHORD BRACING REQUIREMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TEMPORARY ERECTION BRACING REQUIRED TO STABILIZE THE ROOF FRAMING UNTIL ALL PERMANENT BRACING, INCLUDING ROOF SHEATHING, IS INSTALLED.
8. ALLOW FOR TEMPORARY EXPOSITION IN FLOOR SHEATHING PER DETAIL D / S5.1 AND THE GENERAL STRUCTURAL NOTES ON S0.2.
9. SEE FRAMING SECTIONS AND DETAILS FOR UPLIFT SCREWS / TIES AND FRAMING ANCHORS
10. SEE S0.1 AND S0.2 FOR GENERAL STRUCTURAL NOTES.
11. INTERIOR WALLS AND INTERIOR BEARING WALLS ARE NOTED THUS AND SHALL CONSIST OF 2x6 STUDS AT 16" O.C. UNLESS NOTED. INTERIOR BEARING WALLS BETWEEN UNITS ARE 2x4 STUDS AT 16" O.C. SEE GENERAL STRUCTURAL NOTES FOR ADDITIONAL INFORMATION.
12. INTERIOR NON-COLD BEARING WALLS NOT SHOWN OR SHOWN FADED FOR CLARITY.
13. SEE ARCHITECTURAL DRAWINGS.
14. H-x INDICATES HEADER BELOW REFERENCE ELEVATION OF PLAN. SEE HEADER SCHEDULE ON SHEET S0.2 FOR ALL LOAD-BEARING WALL HEADER SIZES AND TYPES. COORDINATE WITH ARCHITECTURAL DWGS. FOR SIZE AND LOCATIONS.
15. WEIGHT AND LOCATION OF MECHANICAL EQUIPMENT SHALL BE COORDINATED PRIOR TO SHOP DRAWING PREPARATION. TRUSS LAYOUT SHOP DRAWINGS SHALL INDICATE ALL MECHANICAL EQUIPMENT. PROVIDE ARCHITECTURAL DRAWINGS FOR ADDITIONAL INFORMATION. ANY ADDITIONAL EQUIPMENT NOT SHOWN ON PLAN AND EXCEEDING 30 LBS. SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER FOR APPROVAL PRIOR TO INSTALLATION. TRUSS SHOP DRAWINGS WHICH DO NOT INDICATE THE MECHANICAL EQUIPMENT MAY BE REJECTED.
16. WEIGHT OF EQUIPMENT SHOWN ON PLAN HAS BEEN CONSIDERED IN THE DESIGN OF THE FRAMING. IF LOADS FOR EQUIPMENT SHOWN EXCEEDS PLAN SHOW ON PLAN, NOTIFY THE ENGINEER IMMEDIATELY.
17. PROVIDE HOIST BEAM INDICATED ON PLAN AND 3/4" x 6" x 10" BEARING PLATE WITH (2) 3/4" DIA. x 6" LONG HEADED STUDS AT EACH END OF HOIST BEAM. COORDINATE HOIST BEAM ELEVATION WITH ARCHITECTURAL DRAWINGS AND ELEVATOR MANUFACTURER
18. COORDINATE CEILING OR ROOF PENETRATION SIZE AND LOCATIONS WITH ARCHITECTURAL AND MECHANICAL DRAWINGS. PROVIDE GRIDDED TRUSSES / HEADERS AT OPENINGS AS REQUIRED.
19. FOR TYPICAL WOOD FRAMED WALL OPENINGS, SEE DETAIL G / S5.1
20. WPA - INDICATE POSTS WHICH SUPPORT FRAMING ON LEVELS ABOVE. ALL POSTS SHALL BE CONTINUOUS TO THE FOUNDATION. SEE WOOD POST SCHEDULE ON S0.2.



NOTE: NOT ALL PLAN NOTES APPLY TO ALL FLOORS. SEE FRAMING PLANS FOR LEVEL, SPECIFIC NOTES.

2. SEE ARCHITECTURAL DRAWINGS FOR FINISH FLOOR AND TRUSS BEARING ELEVATIONS AND WALL LOCATIONS.

3. TYPICAL FLOOR CONSTRUCTION SHALL CONSIST OF GYPCRETE WITH 1/4" SOUND MAT (SEE ARCHITECTURAL DWGS. FOR GYPCRETE THICKNESS) ON 3/4" THICK TONGUE AND GROOVE SHEATHING WITH SUBFLOOR ADHESIVE OVER PREPARED FLOOR TRUSSES (TYPICAL) - UNO FASTEN ALL SHEATHING WITH 100 NAILS SPACED AT 6" O.C. MAXIMUM AT INTERMEDIATE SUPPORTS AND 12" O.C. AT PANEL EDGES. ALL TONGUE AND GROOVE JOINTS SHALL BE GLUED.

4. ~~X~~ INDICATES WOOD JOIST TYPE. T-X INDICATES WOOD TRUSS TYPE. SEE WOOD JOIST/TRUSS SCHEDULE ON S0.2.

5. FLOOR FRAMING SHALL CONFORM TO FLOOR PROFILES, ELEVATIONS, TRUSSES AND DEPTHS INDICATED ON ARCHITECTURAL DRAWINGS. PROVIDE CLEAR OPENINGS IN TRUSS WEBS FOR MECHANICAL, WHERE SHOWN ON ARCHITECTURAL AND/OR MEP DWGS.

6. TRUSS MANUFACTURER TO PROVIDE FLOOR BEARING SYSTEM AS INDICATED. MAIN FLOOR TRUSSES OF THIS PLAN HAVE BEEN SHOWN TO IDENTIFY THE INTENDED LOAD PATH OF THE FLOOR FRAMING. IT IS THE TRUSS MANUFACTURER'S RESPONSIBILITY TO DESIGN AND PROVIDE THESE MAIN TRUSSES AS WELL AS TRUSSES NOT SPECIFICALLY IDENTIFIED IN PLAN TO PROVIDE A COMPLETE FLOOR FRAMING SYSTEM.

7. SEE S0.1 AND S0.2 FOR GENERAL STRUCTURAL NOTES.

8. EXTERIOR WALLS AND INTERIOR BEARING WALLS ARE NOTED THUS: _____ AND ARE 2x6 STUDS AT 16" O.C. UNLESS NOTED. INTERIOR BEARING WALLS BETWEEN UNITS ARE 2x4 STUDS AT 16" O.C. SEE GENERAL STRUCTURAL NOTES FOR ADDITIONAL INFORMATION.

9. INTERIOR NON-LOAD BEARING WALLS NOT SHOWN OR NOTED FADED FOR CLARITY. SEE ARCHITECTURAL DRAWINGS.

10. SEE SHEAR WALL PLANS FOR SHEAR WALL TYPES, LOCATIONS, SHEATHING AND FASTENERS.

11. H+X - INDICATES HEADER BELOW REFERENCE ELEVATION OF PLAN. SEE HEADER SCHEDULE ON SHEET S0.2 FOR ALL LOAD-BEARING WALL HEADER SIZES AND TYPES. COORDINATE WITH ARCHITECTURAL DWGS. FOR SIZE AND LOCATIONS.

12. L-1 - INDICATES (2) COURSE MASONRY BOND BEAM LTEL BELOW REFERENCE ELEVATION OF PLAN REINFORCED WITH (2) #8 BARS, CONTINUOUS TOP AND BOTTOM. SEE MASONRY SECTION OF GENERAL STRUCTURAL NOTES FOR VENER DETAILS. COORDINATE WITH ARCHITECTURAL DWGS. FOR SIZE AND LOCATIONS.

13. FOR TYPICAL WOOD FRAMED WALL OPENINGS, SEE DETAIL C / S S.1

14. WHERE PARTITION WALL AT FLOOR ABOVE IS ORIENTED PERPENDICULAR TO TRUSS PLAN, PROVIDE 2x4 BLOCKING AT 2'-0" O.C. TO SUPPORT PARTITION WALL ABOVE.

15. WHERE NOTED, TRUSSES TO BE DESIGNED FOR 100 PSF LIVE LOAD.

16. TRUSS DESIGNER TO PROVIDE REDUCED TRUSS SPACING AS REQUIRED FOR L240 LIVE LOAD AND L260 TOTAL CUMULATIVE LOAD DEFLECTION. TRUSS DESIGNER TO CONFIRM THAT FLOOR TRUSS DEFLECTION MEETS RECOMMENDATIONS AND REQUIREMENTS OF GYPCRETE MANUFACTURER.

17. COORDINATE FLOOR PENETRATION SIZE AND LOCATIONS WITH ARCHITECTURAL AND MECHANICAL DRAWINGS. PROVIDE GIBBER TRUSSES / HEADERS AT OPENINGS AS REQUIRED.

18. WPA - INDICATE POINTS WHICH SUPPORT FRAMING ON LEVELS ABOVE. ALL POSTS SHALL BE CONTINUOUS TO THE FOUNDATION. SEE WOOD POST SCHEDULE ON S0.2.

19. ALLOW FOR TEMPORARY EXPANSION IN FLOOR SHEATHING PER DETAIL D / S S.1 AND THE GENERAL STRUCTURAL NOTES ON S0.2.

20. WHERE SHOWN, WALLS HATCHED THUS: _____ INDICATES WALLS WHICH SHALL CONSIST OF (2) 2x6 STUDS AT 16" O.C. FROM FIRST FLOOR TO SECOND FLOOR. SEE GENERAL STRUCTURAL NOTES FOR ADDITIONAL INFORMATION.

21. COORDINATE FIRE RATING OF FLOOR AND WALL SYSTEMS WITH ARCHITECTURAL DWGS.

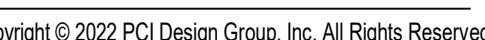
22. TRUSSES SHOWN THUS: _____ (INDICATE LOADS) SHALL ALIGN WITH SHEAR WALLS AND BE GENERAL STRUCTURAL DWGS. FOR ADDITIONAL REQUIREMENTS INCLUDING DRAFTING STRAPPING. SHEAR LOAD = 4.5 KIPS PER TRUSS (WIND LOAD).

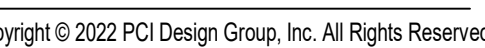
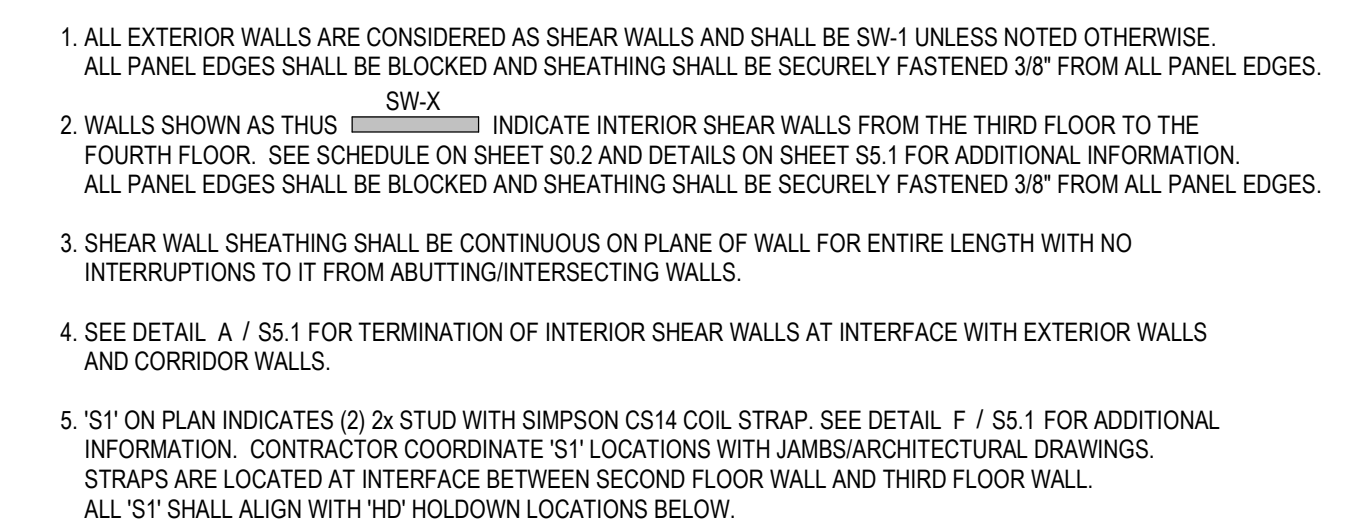


SCALE: 1/8" = 1'-0"



SCALE: 1/8" = 1'-0"





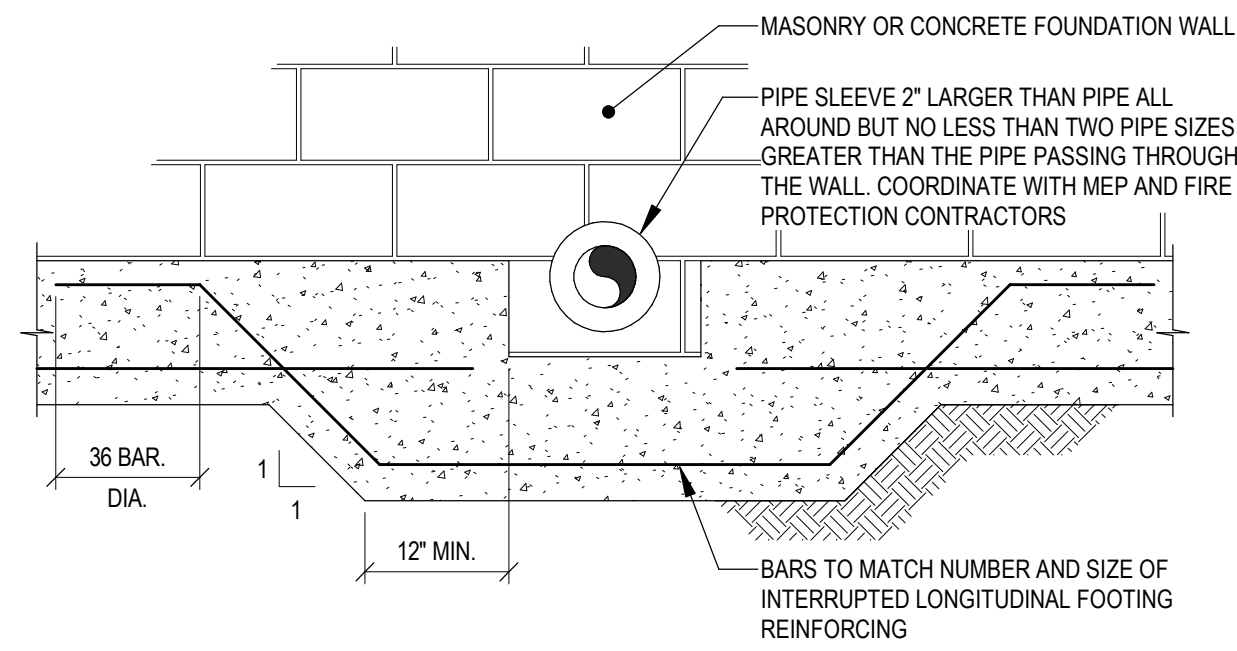
TYPICAL SAWCUT CONTRACTION JOINT

TYPICAL CONSTRUCTION JOINT

TYPICAL SLAB DETAIL AT WALL OPENING

TYPICAL SLAB DETAIL AT RE-ENTRANT WALL CORNER

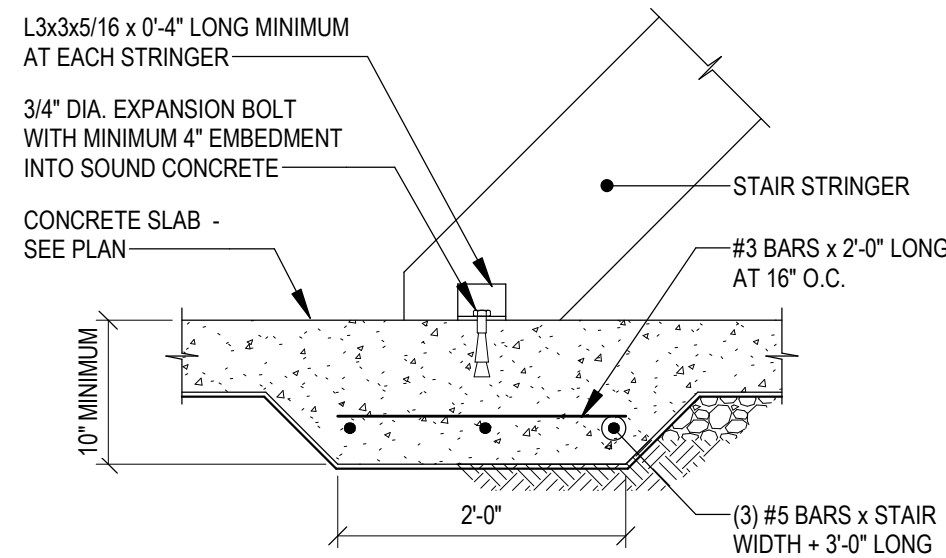
NOTE:
STEPS IN FOOTING ARE LIMITED TO GROUPS OF THREE (STEPS) WITH
8'-0" (MINIMUM) OF HORIZONTAL DISTANCE BETWEEN EACH GROUP.



REINFORCEMENT NOTES:

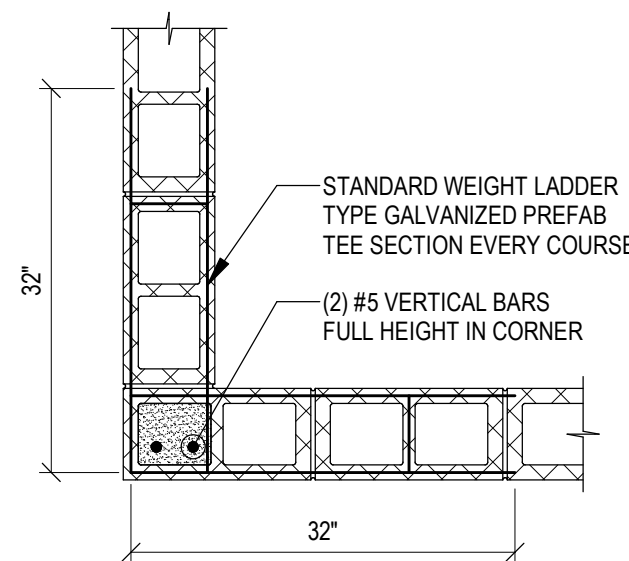
1. REINFORCEMENT SHALL NOT CONTINUE THROUGH CONSTRUCTION JOINTS UNLESS OTHERWISE NOTED.
2. PLACE AND SUPPORT REINFORCEMENT PRIOR TO CONCRETE PLACEMENT TO MAINTAIN LOCATION. DURING CONCRETE PLACEMENT, SHOWN ON THESE DETAILS AND WITHIN TOLERANCES INDICATED IN ACI 117. REINFORCEMENT SUPPORT SHALL CONFORM TO CRSI RB4.1.
3. CONCRETE BRICKS ARE NOT ACCEPTABLE FOR REINFORCING SUPPORT ON SLABS.
4. WWR WA 004.0 AND SMALLER SHALL HAVE CONTINUOUS SUPPORT. THE CONTINUOUS SUPPORT SHALL NOT EXCEED 12 INCHES PERPENDICULAR TO THE DIRECTION OF SPAN.
5. IF VAPOR RETARDER/BARRIER IS PRESENT, REINFORCEMENT SUPPORTS SHALL NOT DAMAGE VAPOR RETARDER/BARRIER. PROVIDE CONTINUOUS PLATES ON BOTTOMS OF BOLTS AND PROVIDE PLATES ON INDIVIDUAL CHAIRS.

A	TYPICAL SLAB ON GROUND JOINTS
S4.1	NO SCALE

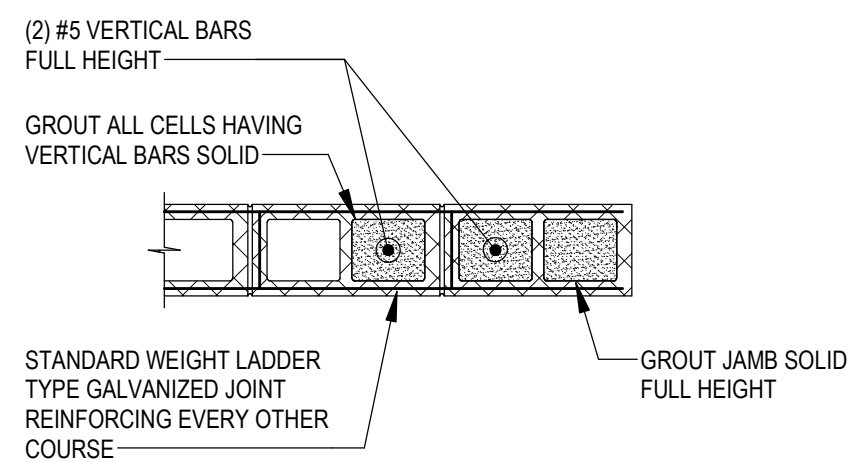


NOTE:
EXTEND THICKENED SLAB 1'-6" BEYOND STAIR STRINGER EACH SIDE.

E	SLAB ON GROUND AT STAIR BASE
S4.1	NO SCALE

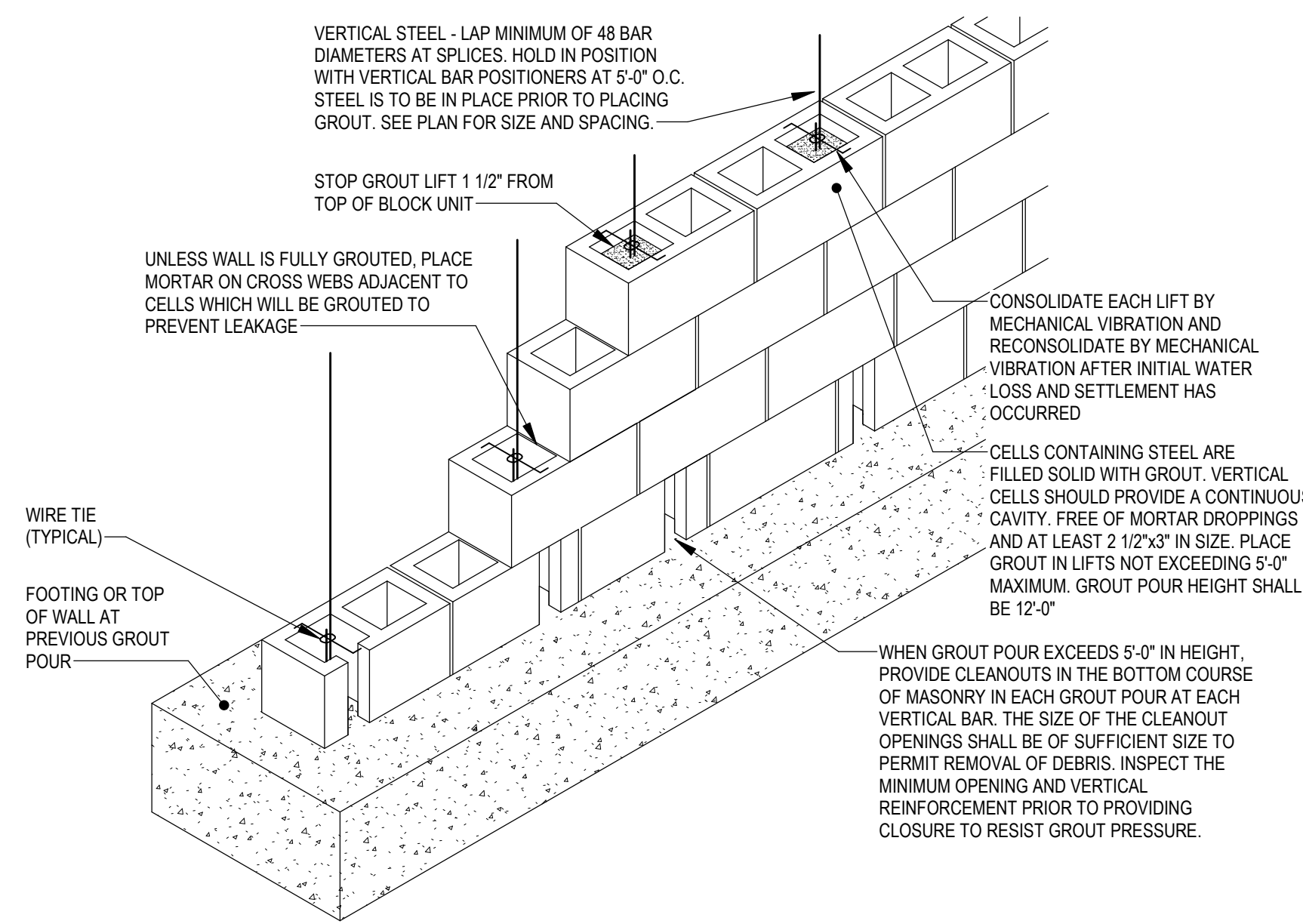


CORNER

WALL END OR MASONRY OPENING

NOTE:
SEE PLANS AND SECTIONS FOR MASONRY BOND BEAM AND VERTICAL
WALL REINFORCING REQUIREMENTS. PROVIDE BOND BEAMS WITH
CORNER BARS AND DOWELS AT INTERSECTING WALLS. ALL BOND
BEAM REINFORCING SHALL BE CONTINUOUS THROUGH JOINTS.

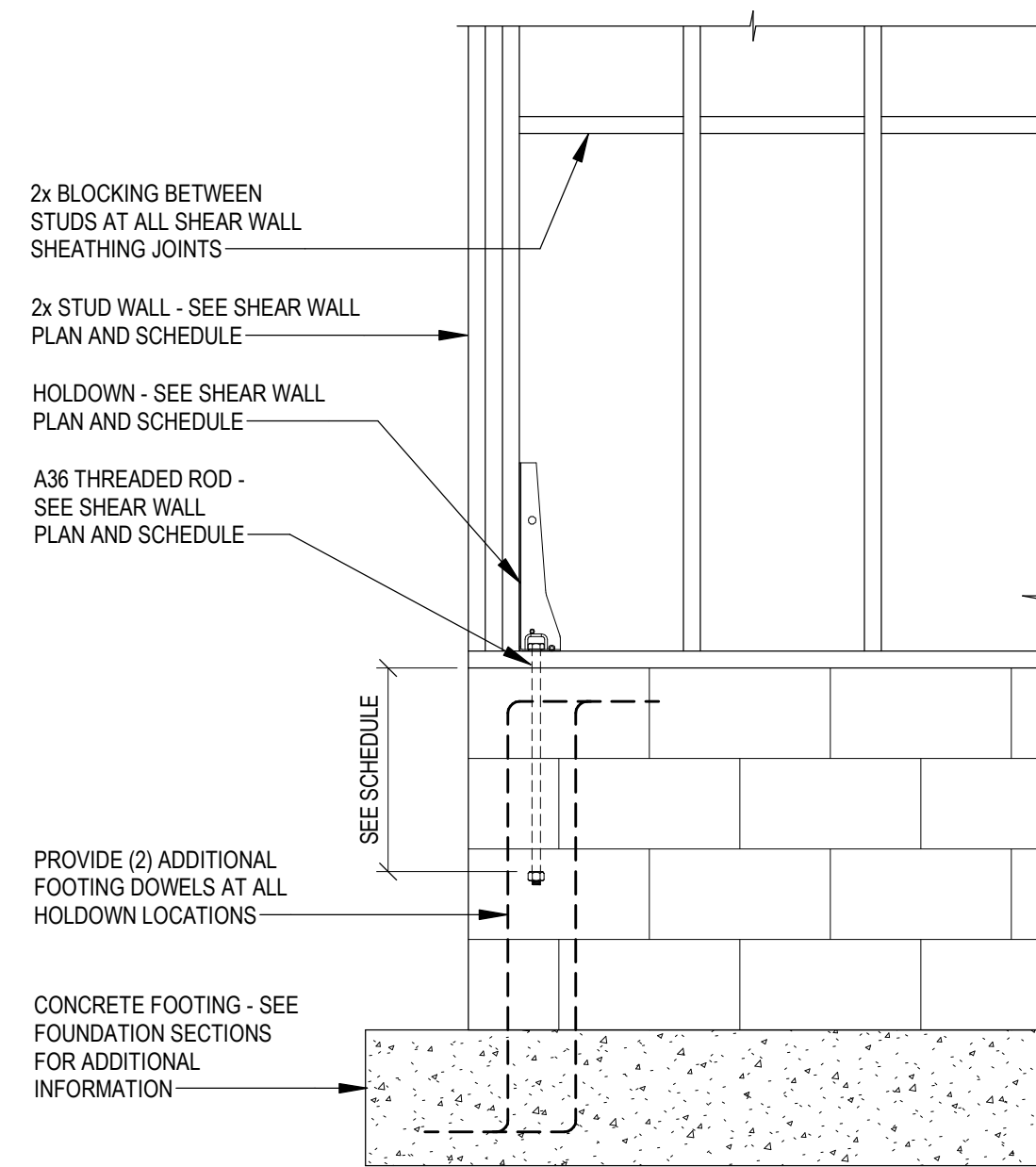
F	TYPICAL MASONRY WALL REINFORCING
S4.1	NO SCALE



G	TYPICAL MASONRY REINFORCING ISOMETRIC
S4.1	NO SCALE

C	TYPICAL STEPPED FOOTING
S4.1	NO SCALE

D	TYPICAL PIPE SLEEVE
S4.1	NO SCALE



H	TYPICAL CMU WALL WITH 2x WALL OUTBOARD
S4.1	NO SCALE



DESIGN GROUP
1971 E. BELTLINE AVE. NE, SUITE 201
GRAND RAPIDS, MICHIGAN 49525
PHONE: 612-330-1500
FAX: 614-396-3268



Washington Greene
1661 Washington Street West,
Charleston, WV 25387



PROVIDENCE
ENGINEERING

4955 Steubenville Pike, Suite 219
Pittsburgh, PA 15205
Phone: 412-407-2250
PEC Job Number: 222152
Certificate Number: C03513-00

FOUNDATION DETAILS

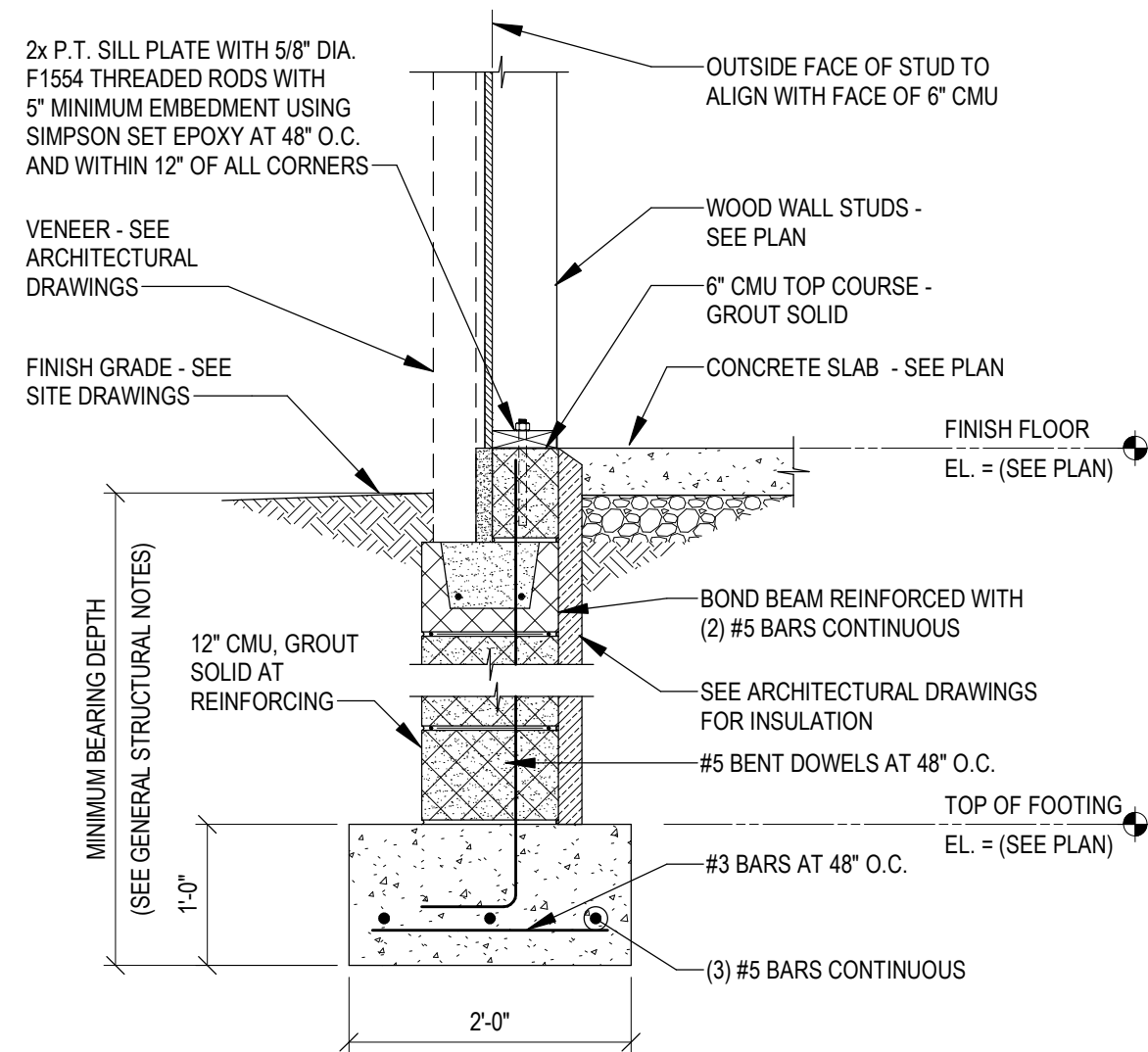
ISSUANCE

PLAN REVIEW 2023 0410

SHEET NO.

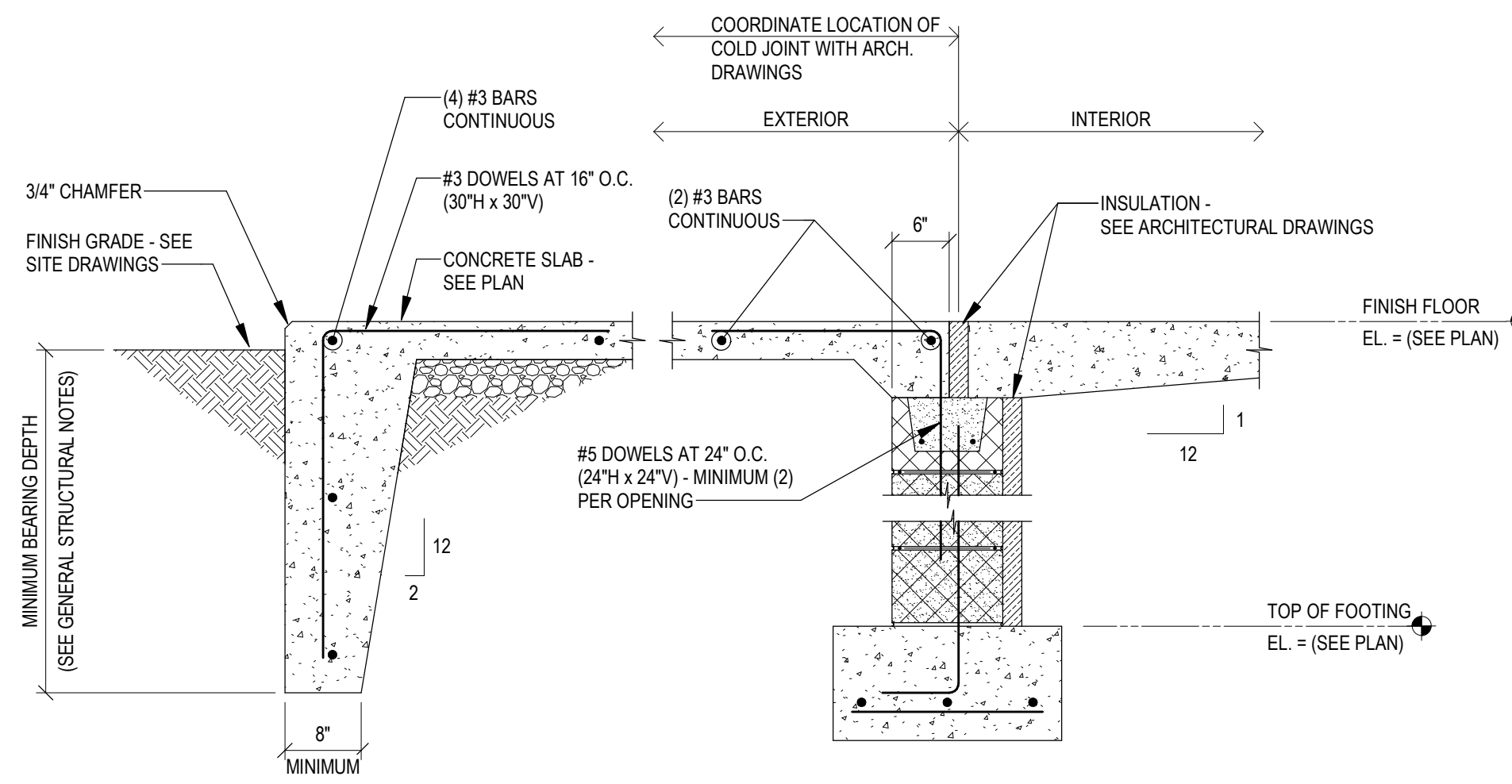
S4.1

JOB NUMBER: WOD268

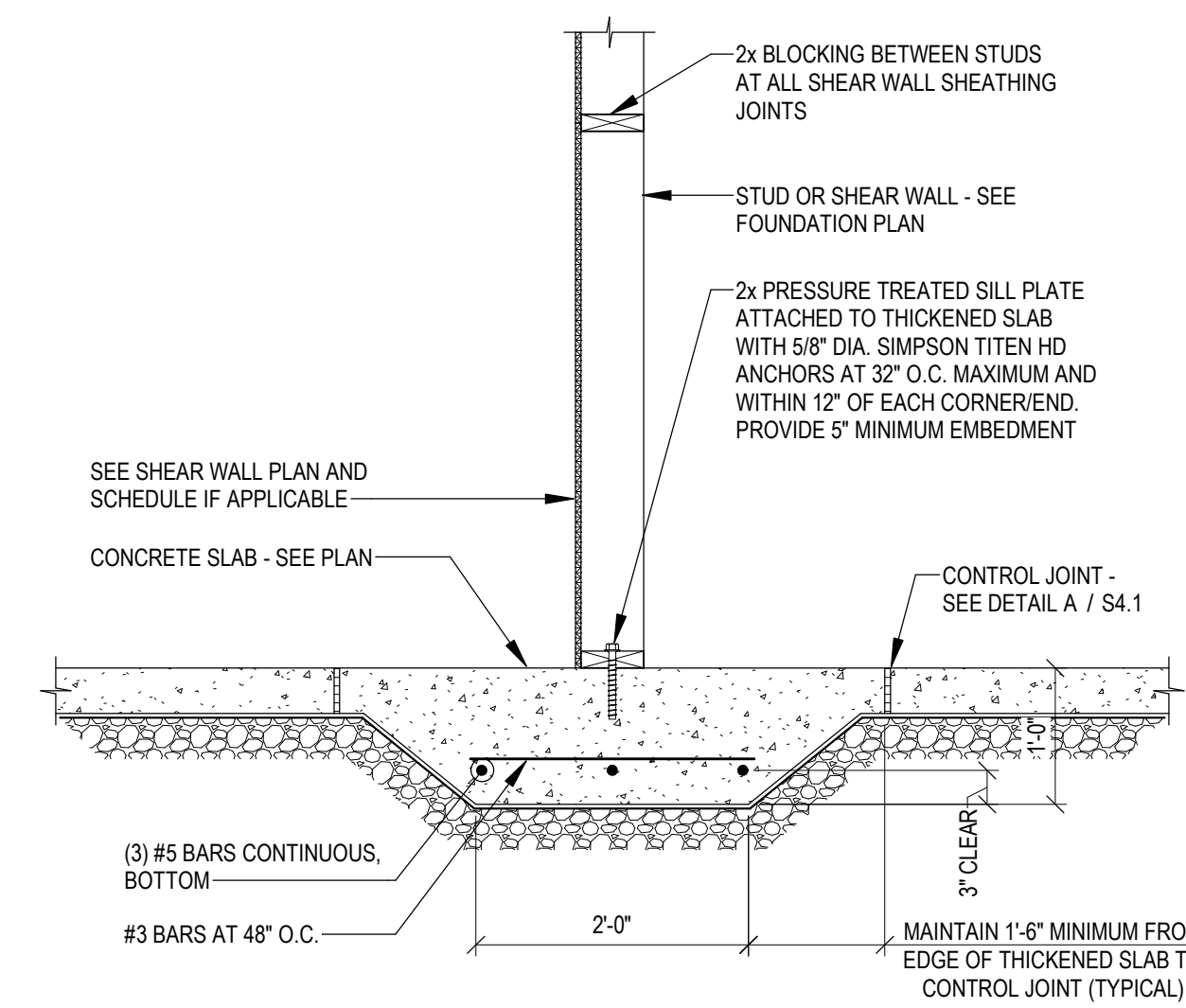


- NOTES:
1. VERTICAL WALL REINFORCEMENT - GROUT ALL CELLS WITH REINFORCING SOLID AND PROVIDE 48 BAR DIAMETER LAP.
 2. GROUT ALL CELLS SOLID BELOW GRADE.

1 SECTION
S4.2 SCALE: 3/4" = 1'-0"

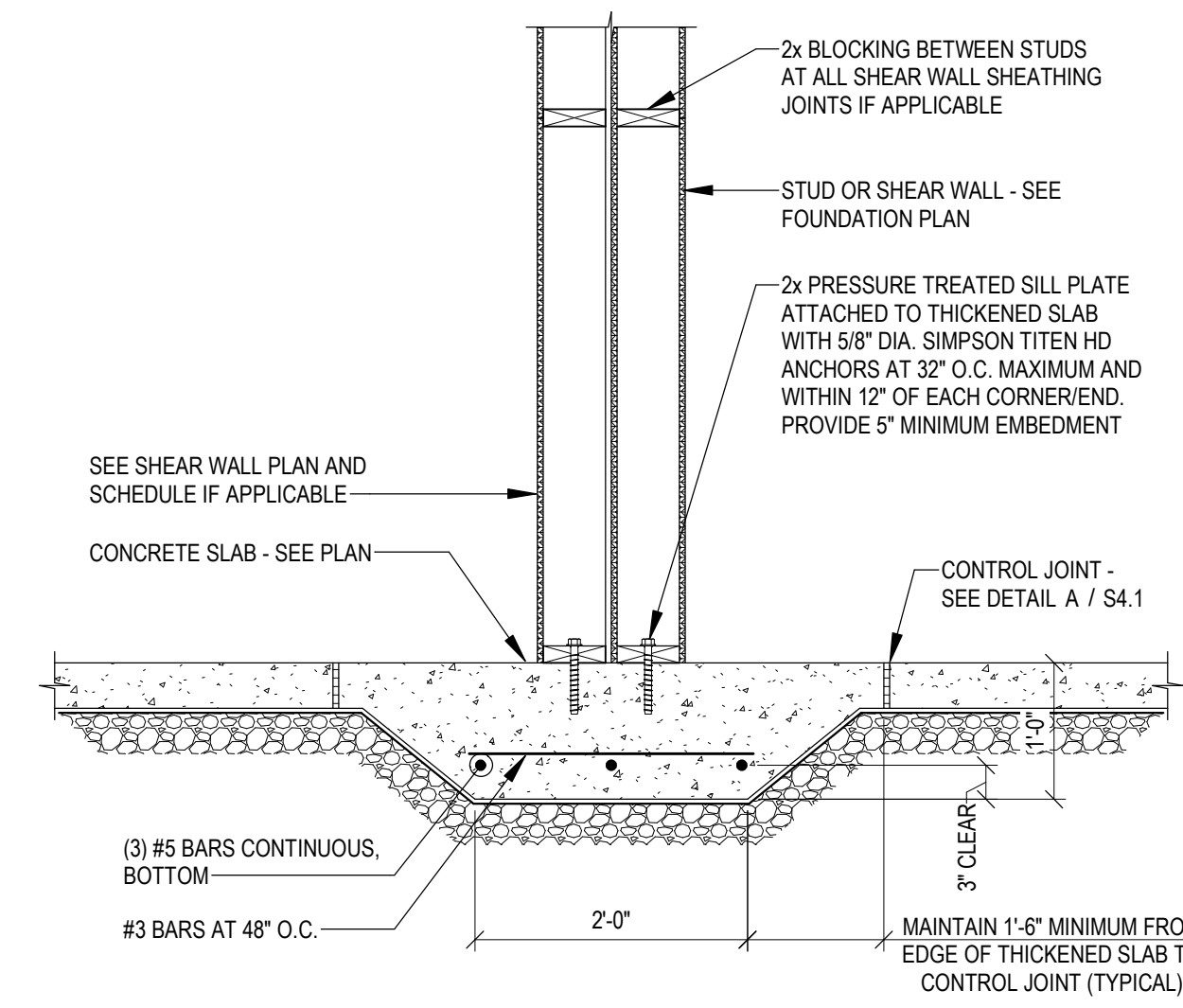


2 SECTION
S4.2 SCALE: 3/4" = 1'-0"



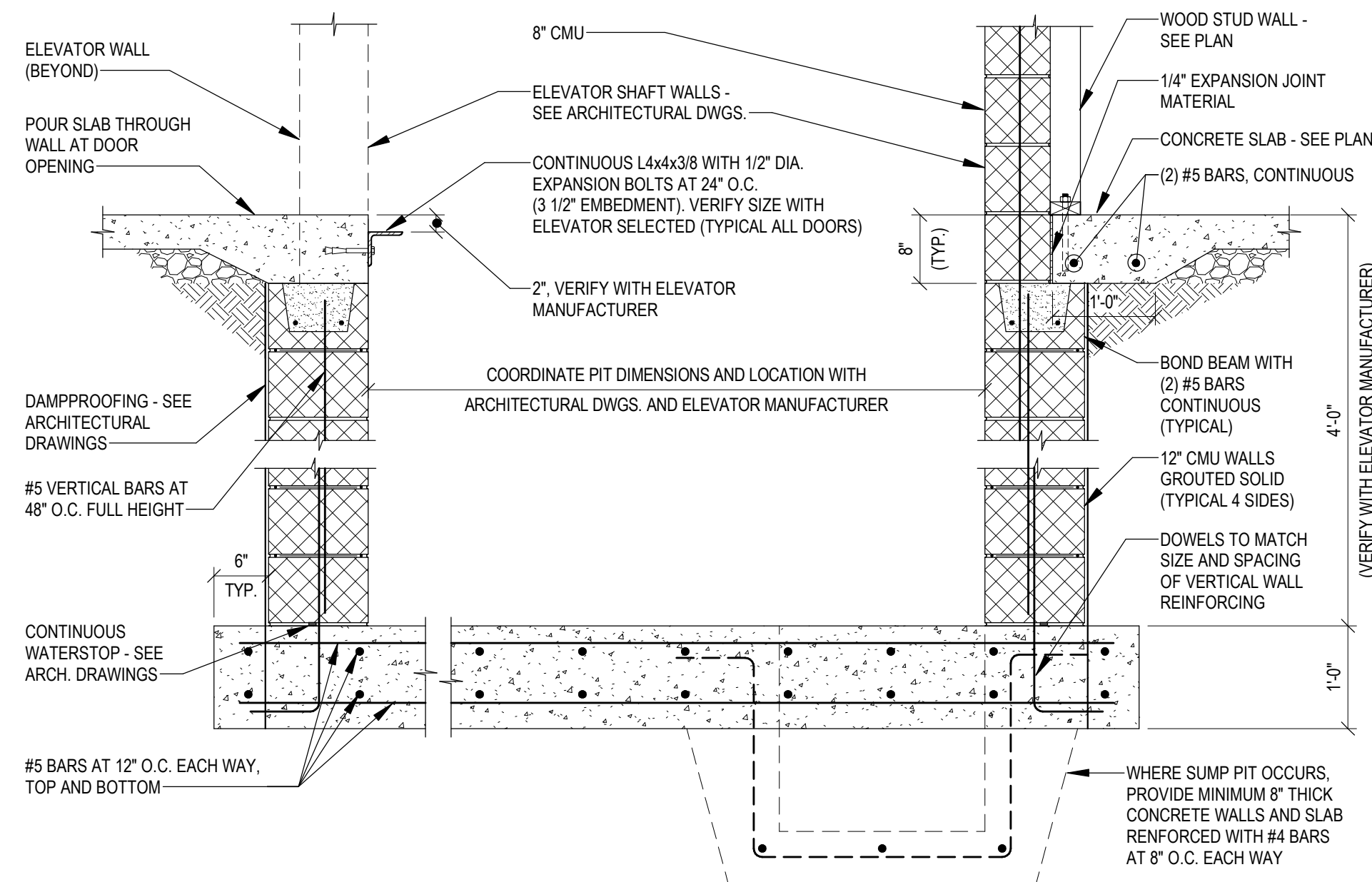
- PROVIDE 5/8" DIA. GALVANIZED ANCHOR RODS (PROJECTION + 9" EMBEDMENT) SPACED AT 32" O.C. AND LOCATED WITHIN 12" OF ALL CORNERS IN LIEU OF TITEN HD ANCHORS, AT CONTRACTOR'S OPTION

3 SECTION
S4.2 SCALE: 3/4" = 1'-0"

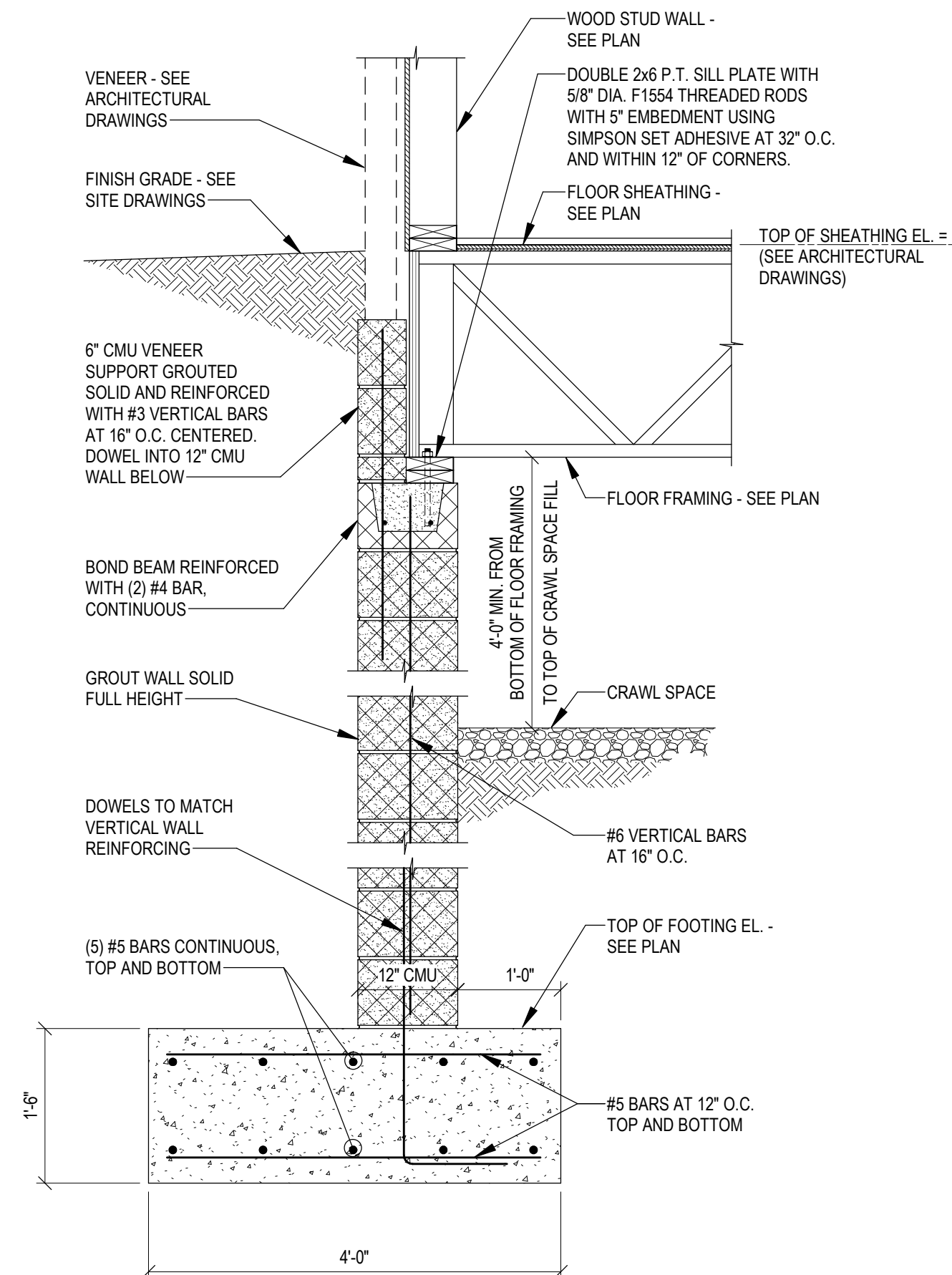


- PROVIDE 5/8" DIA. GALVANIZED ANCHOR RODS (PROJECTION + 9" EMBEDMENT) SPACED AT 32" O.C. AND LOCATED WITHIN 12" OF ALL CORNERS IN LIEU OF TITEN HD ANCHORS, AT CONTRACTOR'S OPTION

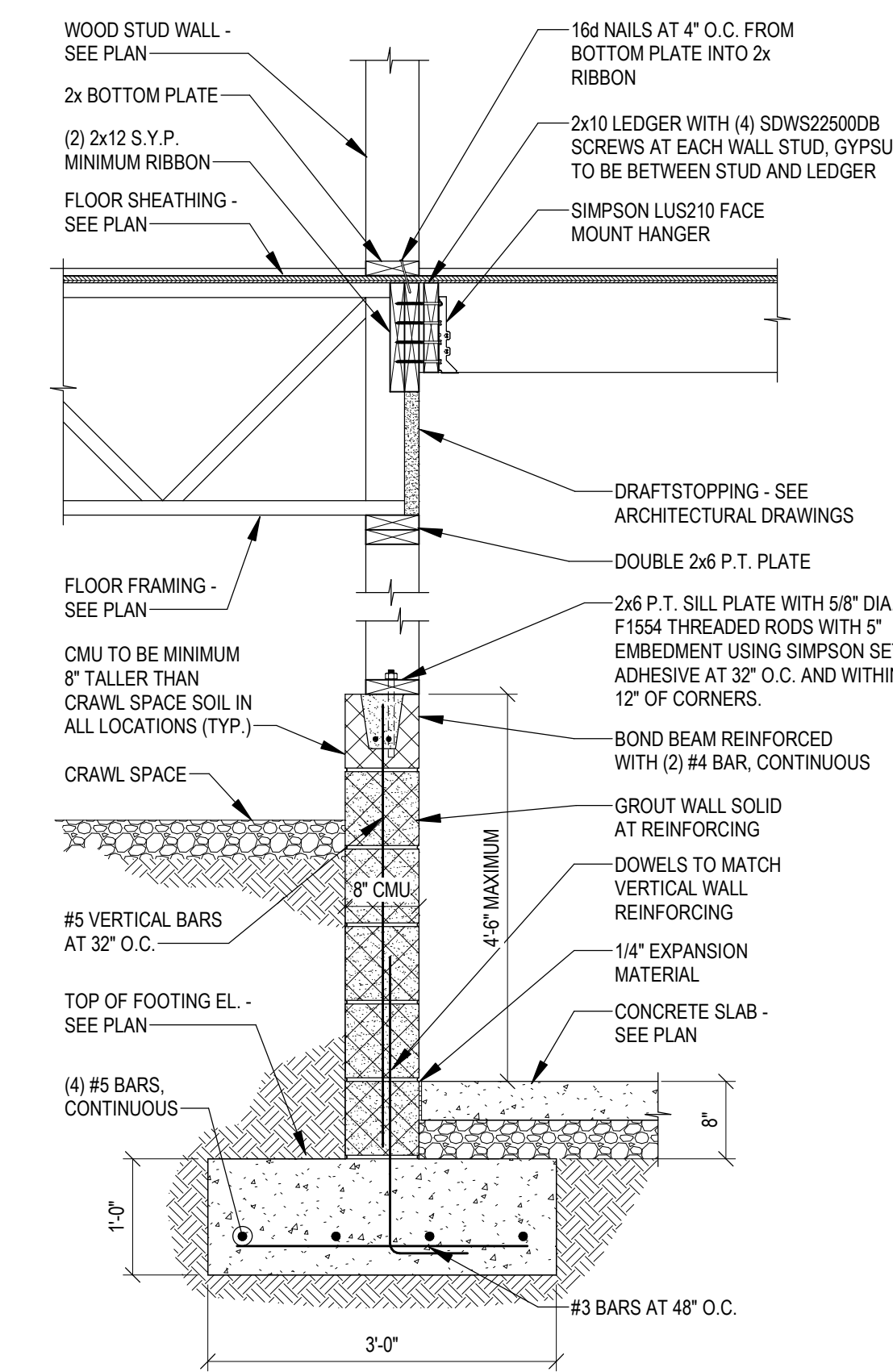
4 SECTION
S4.2 SCALE: 3/4" = 1'-0"



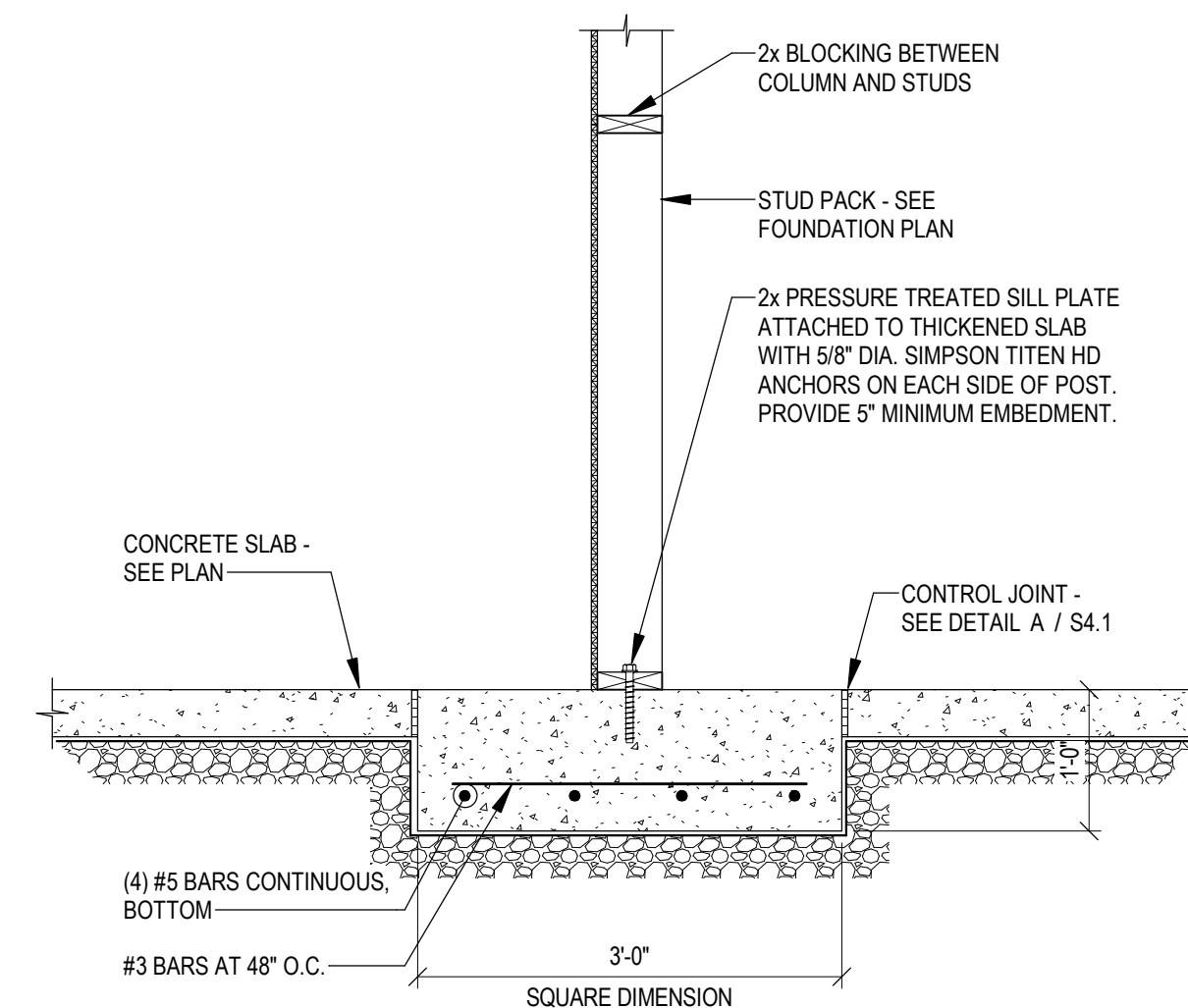
5 SECTION
S4.2 SCALE: 3/4" = 1'-0"



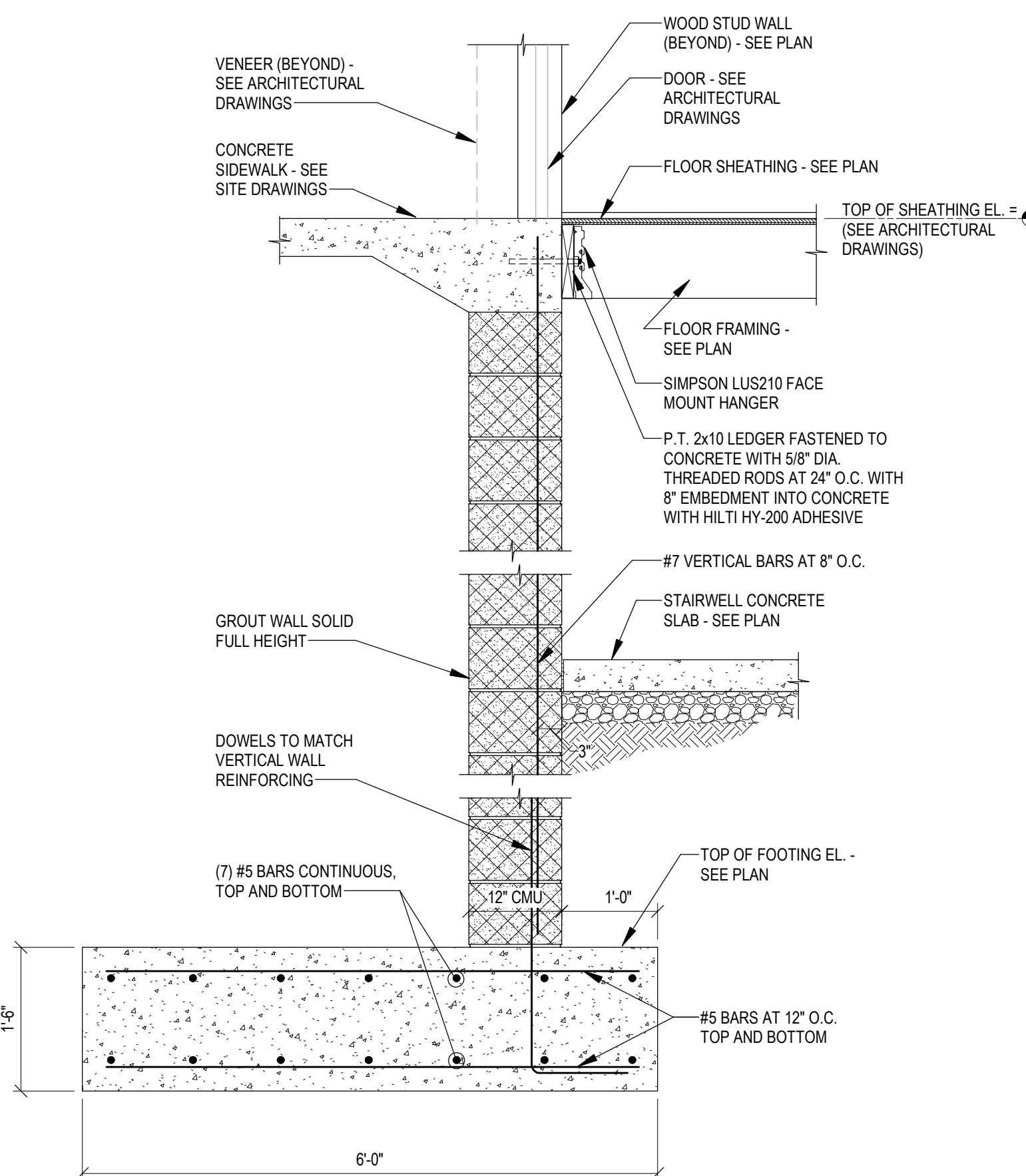
6 SECTION
S4.2 SCALE: 3/4" = 1'-0"



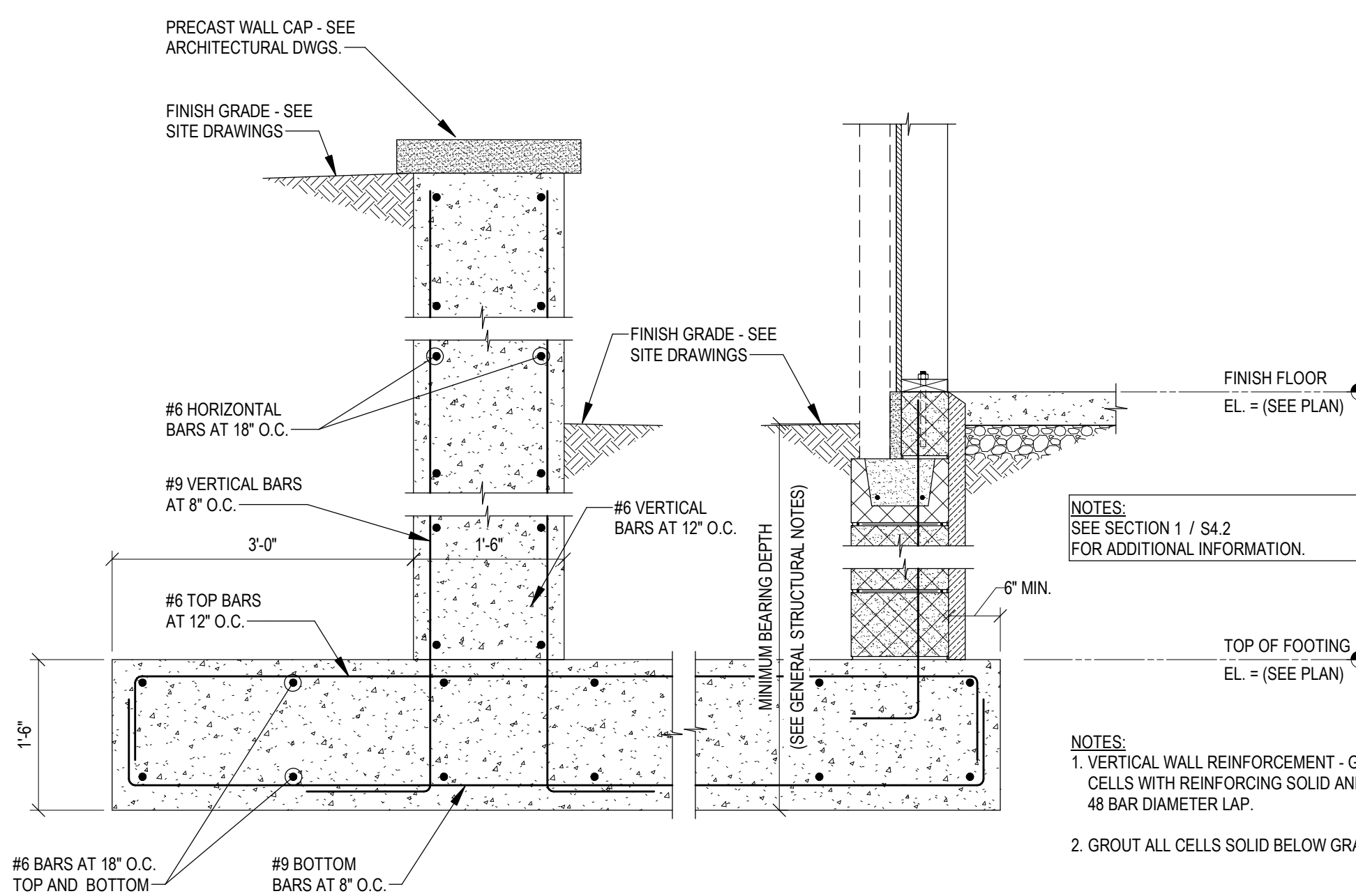
7 SECTION
S4.2 SCALE: 3/4" = 1'-0"



8 SECTION
S4.2 SCALE: 3/4" = 1'-0"



9 SECTION
S4.2 SCALE: 3/4" = 1'-0"



- NOTES:
- SEE SECTION 1 / S4.2 FOR ADDITIONAL INFORMATION.

- NOTES:
1. VERTICAL WALL REINFORCEMENT - GROUT ALL CELLS WITH REINFORCING SOLID AND PROVIDE 48 BAR DIAMETER LAP.
 2. GROUT ALL CELLS SOLID BELOW GRADE.

10 SECTION
S4.2 SCALE: 3/4" = 1'-0"



DESIGN GROUP
1971 E. BELTLINE AVE. NE, SUITE 201
GRAND RAPIDS, MICHIGAN 49525
PHONE: 612-330-1500
FAX: 614-396-3268



Washington Greene
1661 Washington Street West,
Charleston, WV 25387



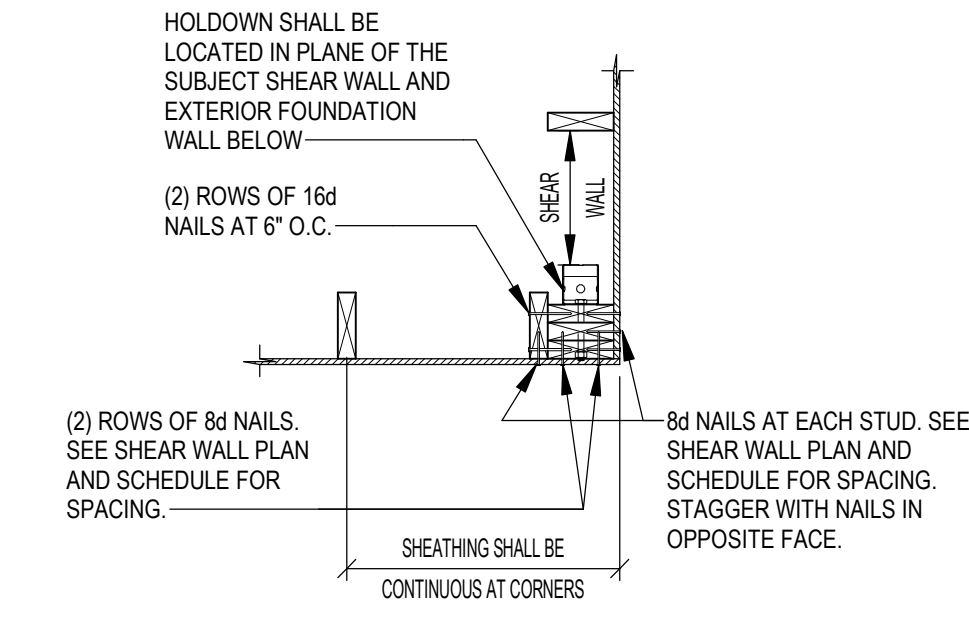
4955 Steubenville Pike, Suite 219
Pittsburgh, PA 15205
Phone: 412-487-2250
FEC Job Number: 222152
Certificate Number: C03513-00

FOUNDATION SECTIONS

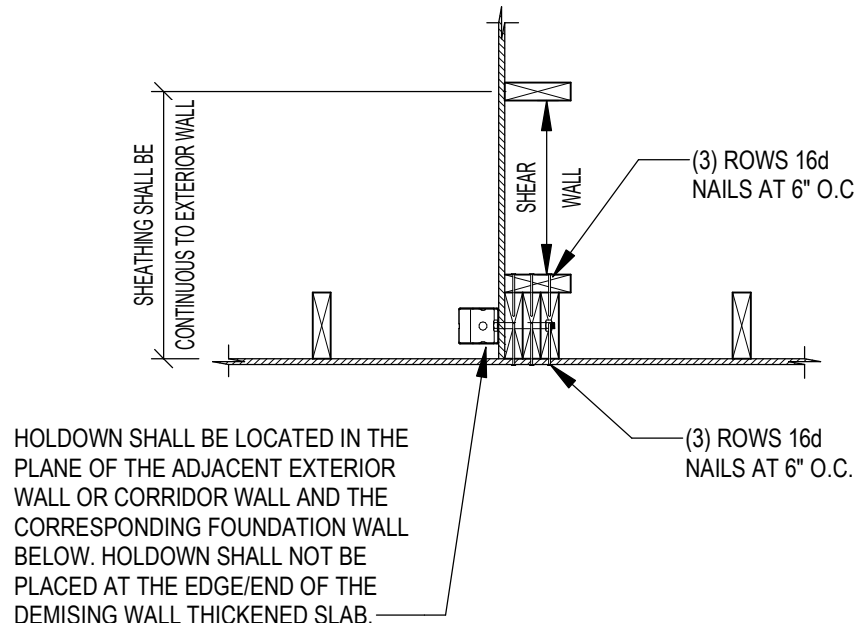
ISSUANCE

PLAN REVIEW	2023.04.10
SHEET NO.	

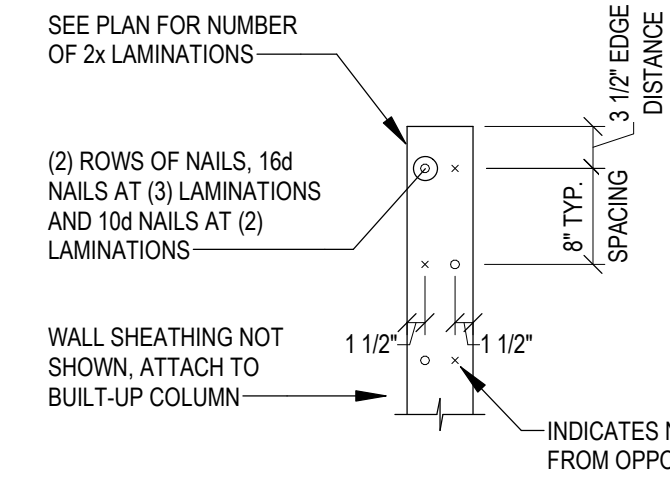
S4.2



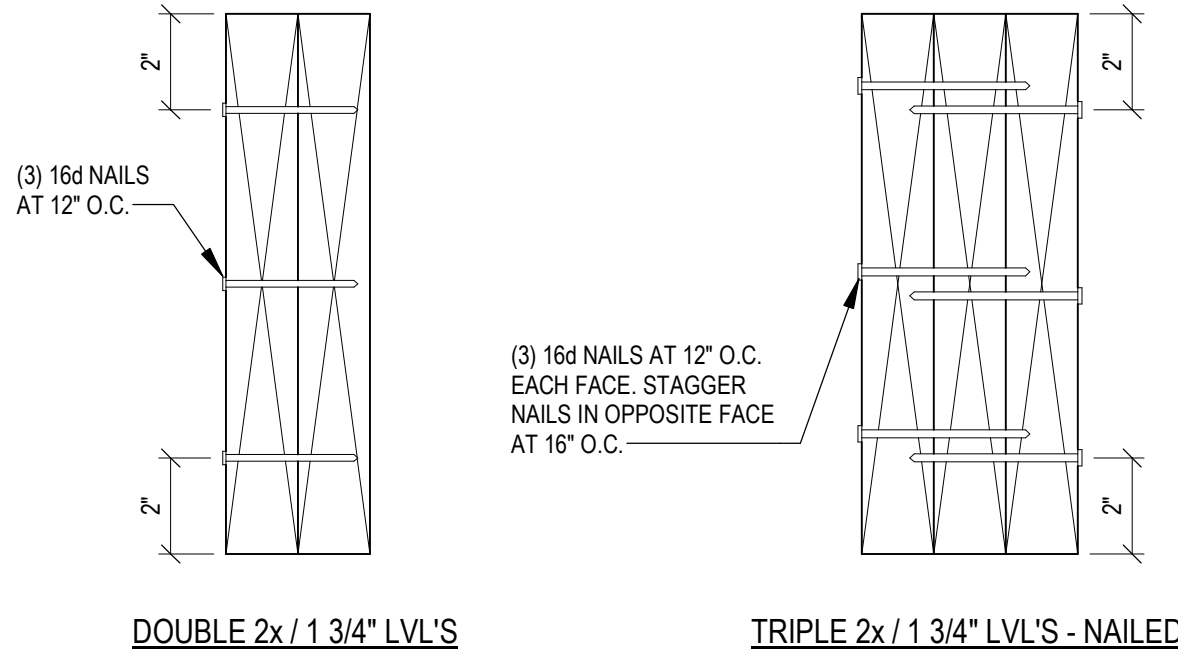
A TYPICAL SHEAR WALL CORNER DETAIL
S5.1 NO SCALE



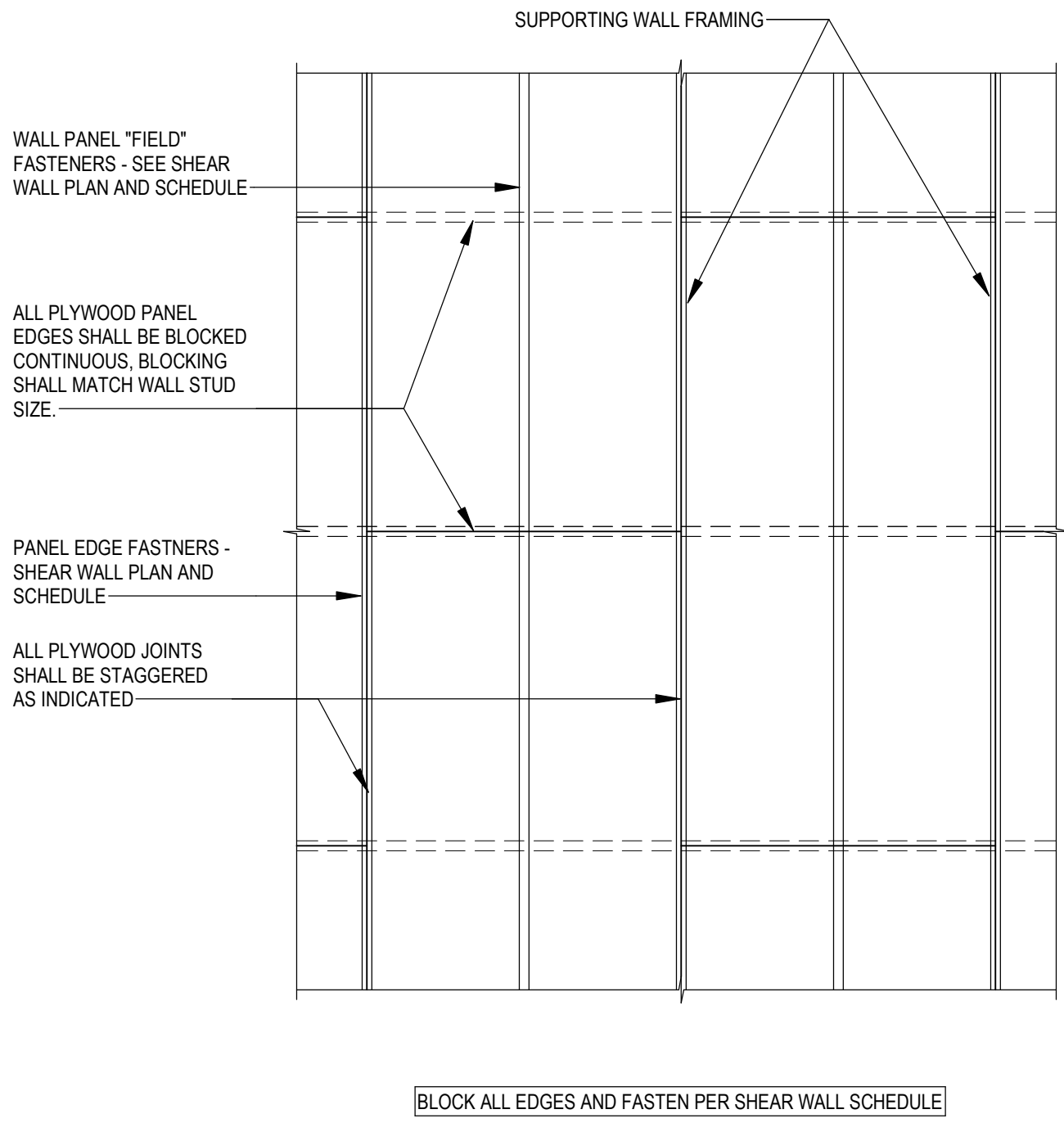
B TYPICAL BUILT-UP WOOD COLUMN
S5.1 NO SCALE



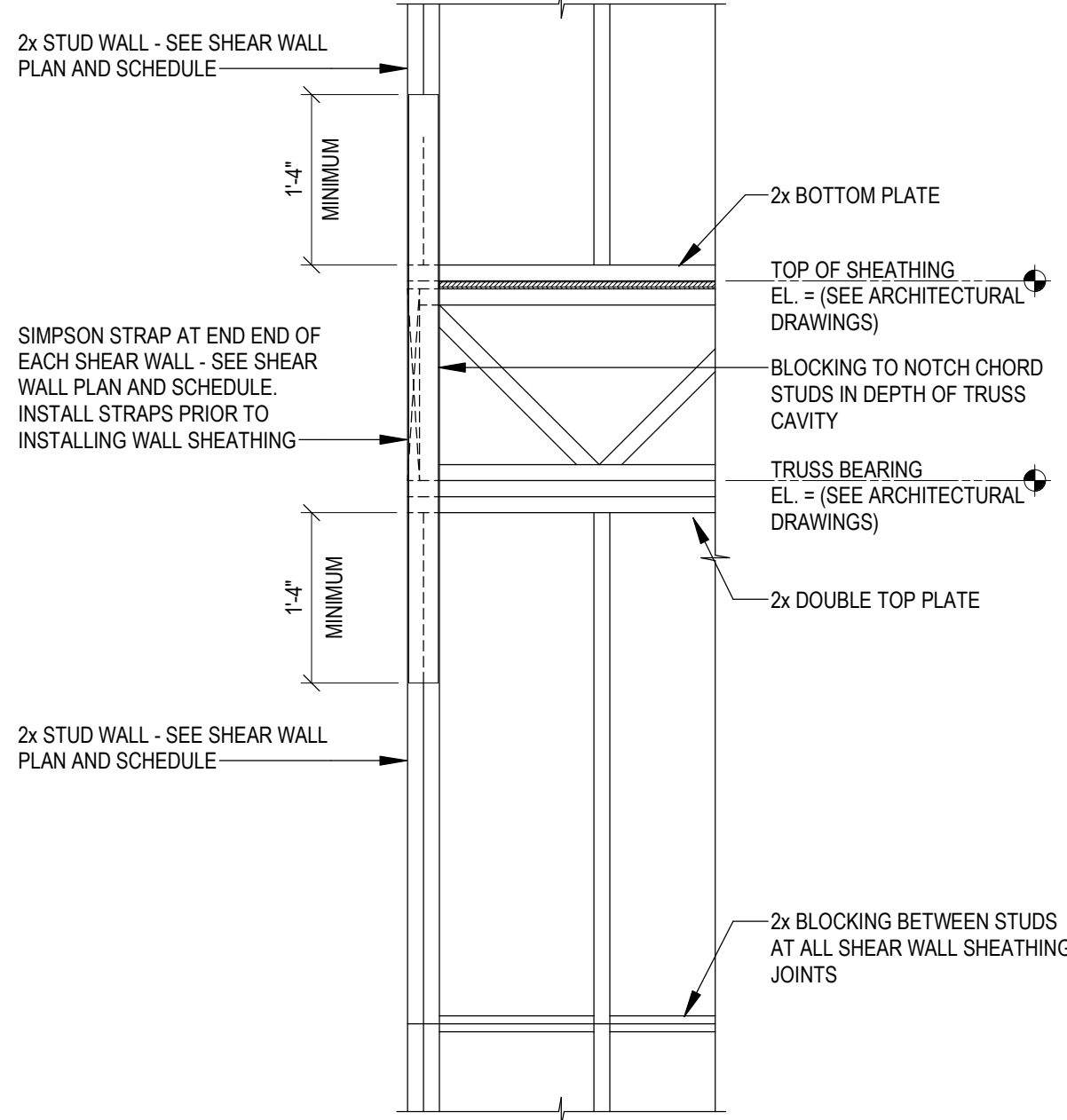
C TYPICAL BUILT-UP BEAM
S5.1 NO SCALE



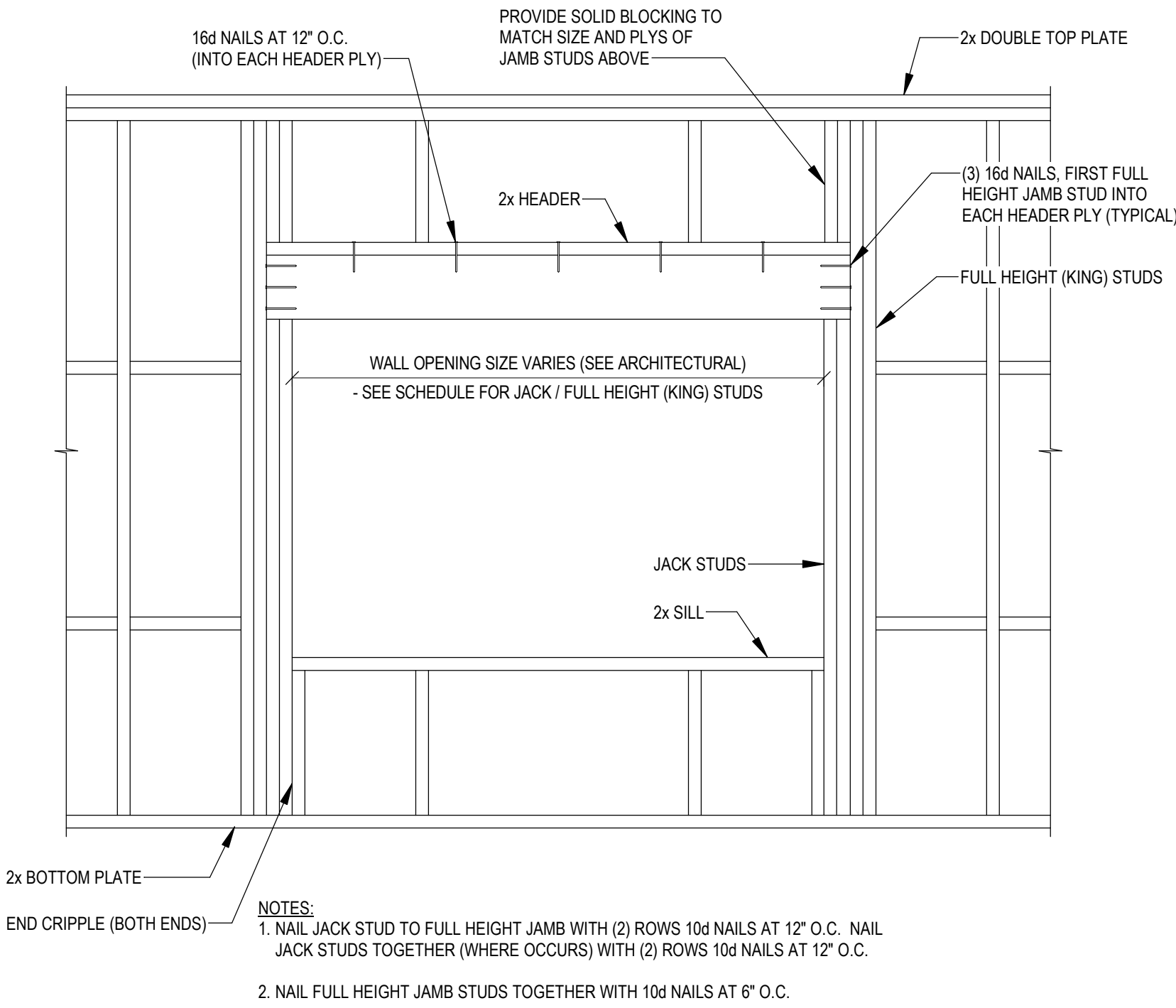
D TYPICAL EXPANSION JOINT
S5.1 NO SCALE



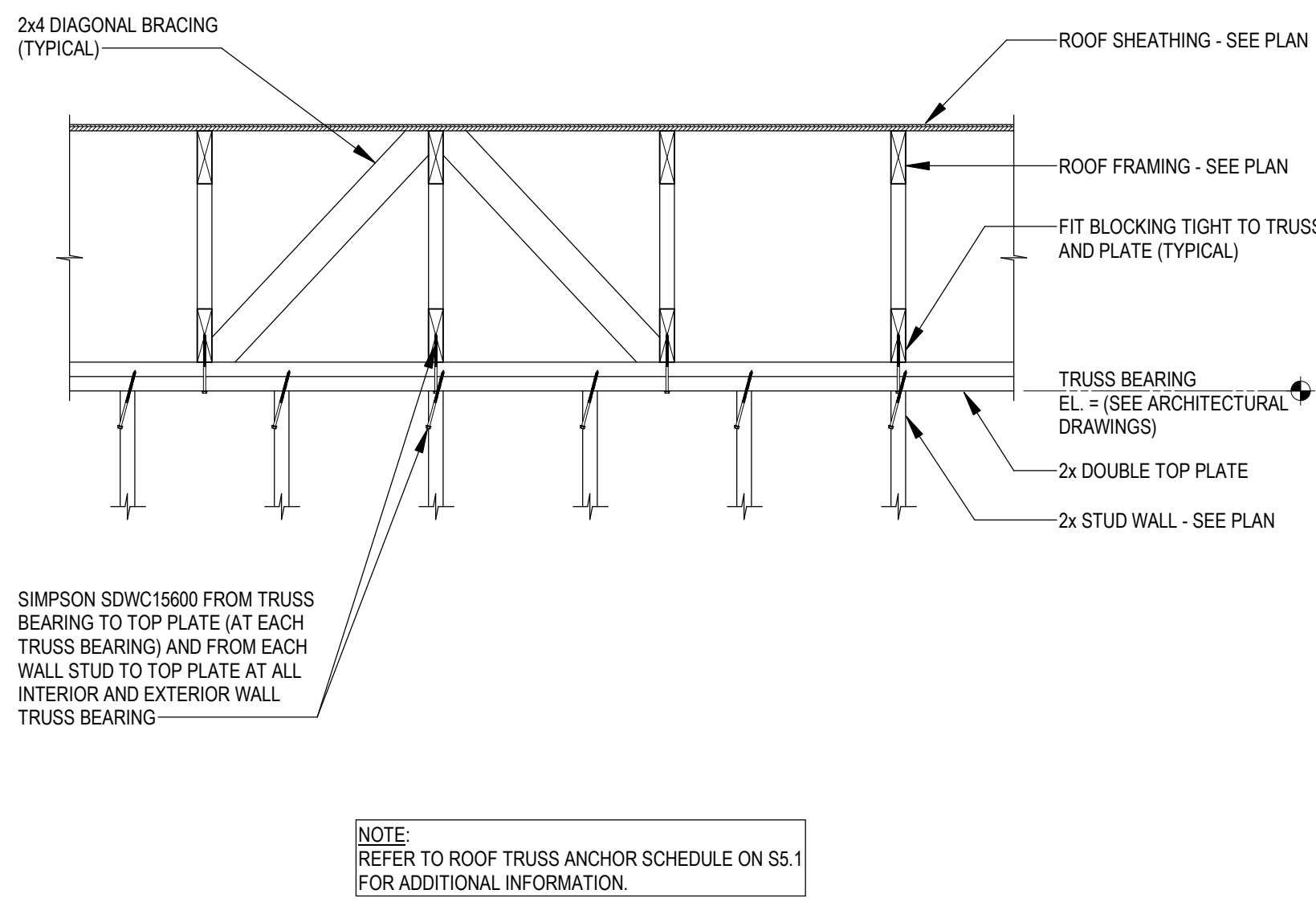
E TYPICAL SHEAR WALL SHEATHING FASTENING
S5.1 NO SCALE



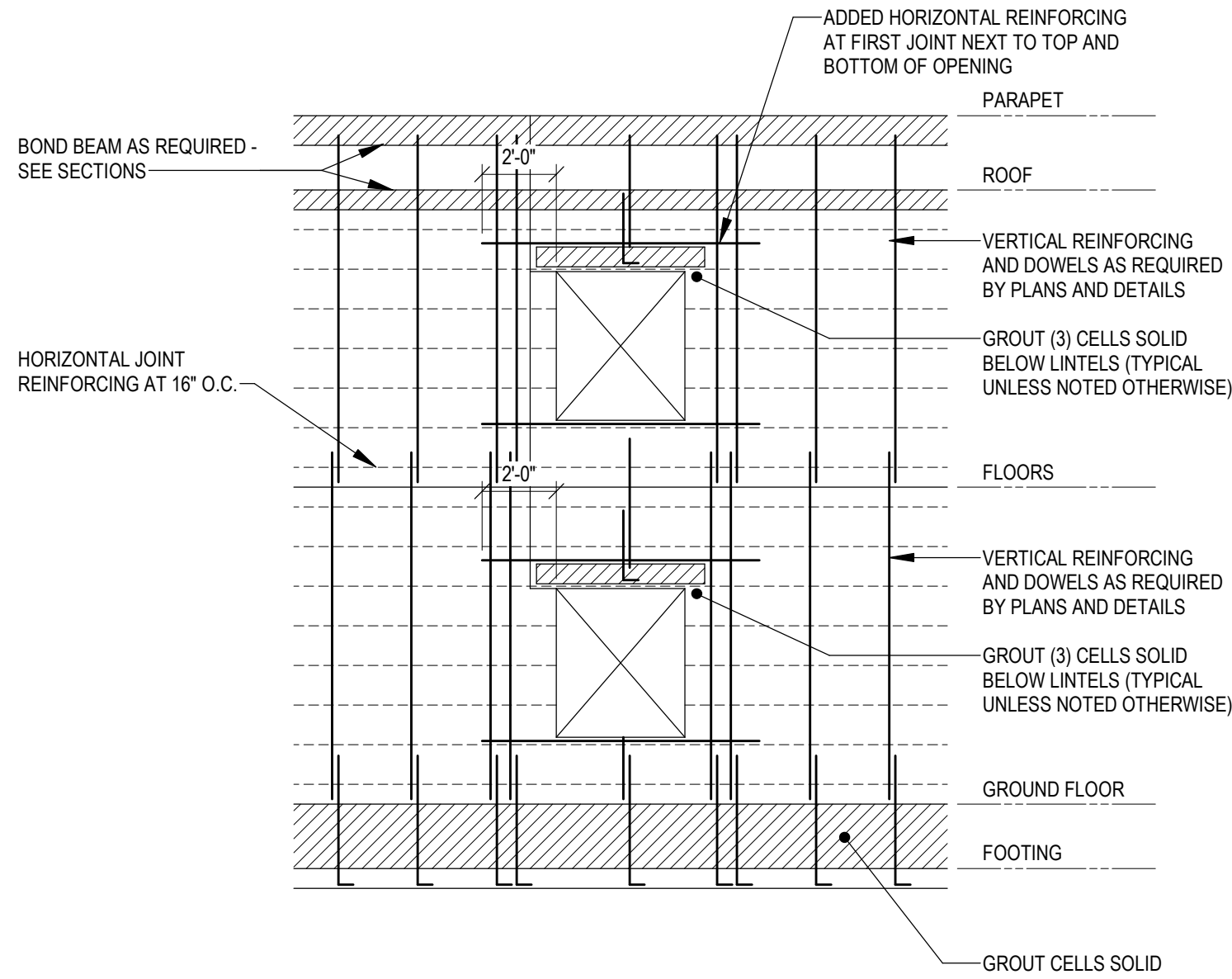
F TYPICAL STRAP AT END OF SHEAR WALL
S5.1 NO SCALE



G TYPICAL WOOD FRAMING WITH WALL OPENINGS
S5.1 NO SCALE

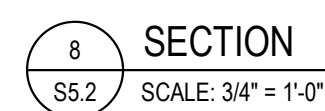


H TYPICAL ROOF TRUSS BEARING AT EXTERIOR WALL
S5.1 NO SCALE



J TYPICAL REINFORCED MASONRY WALL ELEVATION
S5.1 NO SCALE

NOTES:
1. HORIZONTAL JOINT REINFORCING SHALL BE HOHMANN & BARNARD OR APPROVED EQUAL LADDER TYPE FORMED OF NO. 9 GAGE LONGITUDINAL AND CROSS WIRES.
2. ALL CELLS CONTAINING VERTICAL REINFORCING SHALL BE GROUTED SOLID. LAP BARS 48 DIAMETER.





Washington Greene
1661 Washington Street West,
Charleston, WV 25387



PROVIDENCE
ENGINEERING

4955 Steubenville Pike, Suite 215
Pittsburgh, PA 15205
Phone: 412-407-2250
PEC Job Number: 222152
Certificate Number: C03513-00

STRUCTURAL SECTIONS

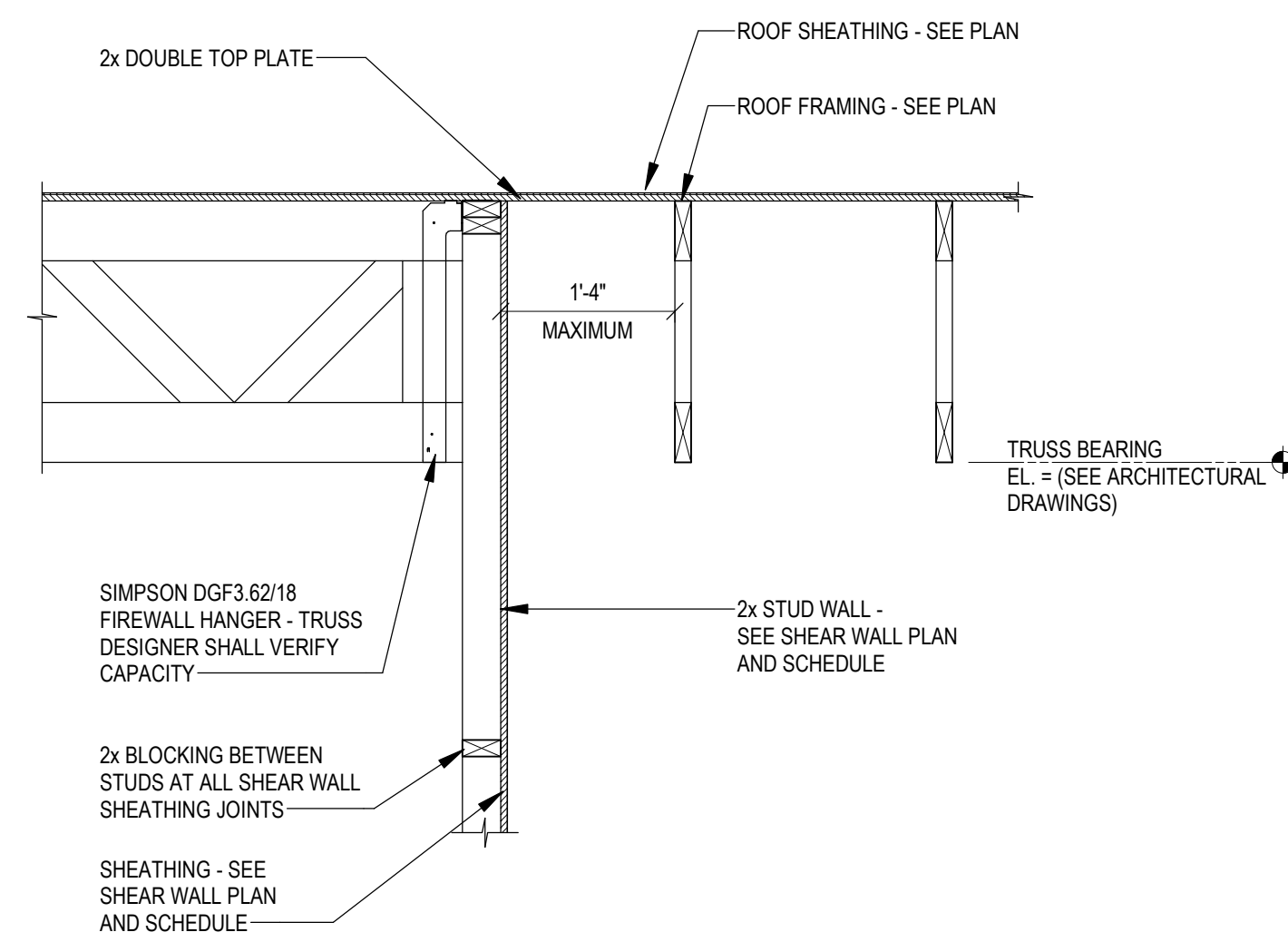
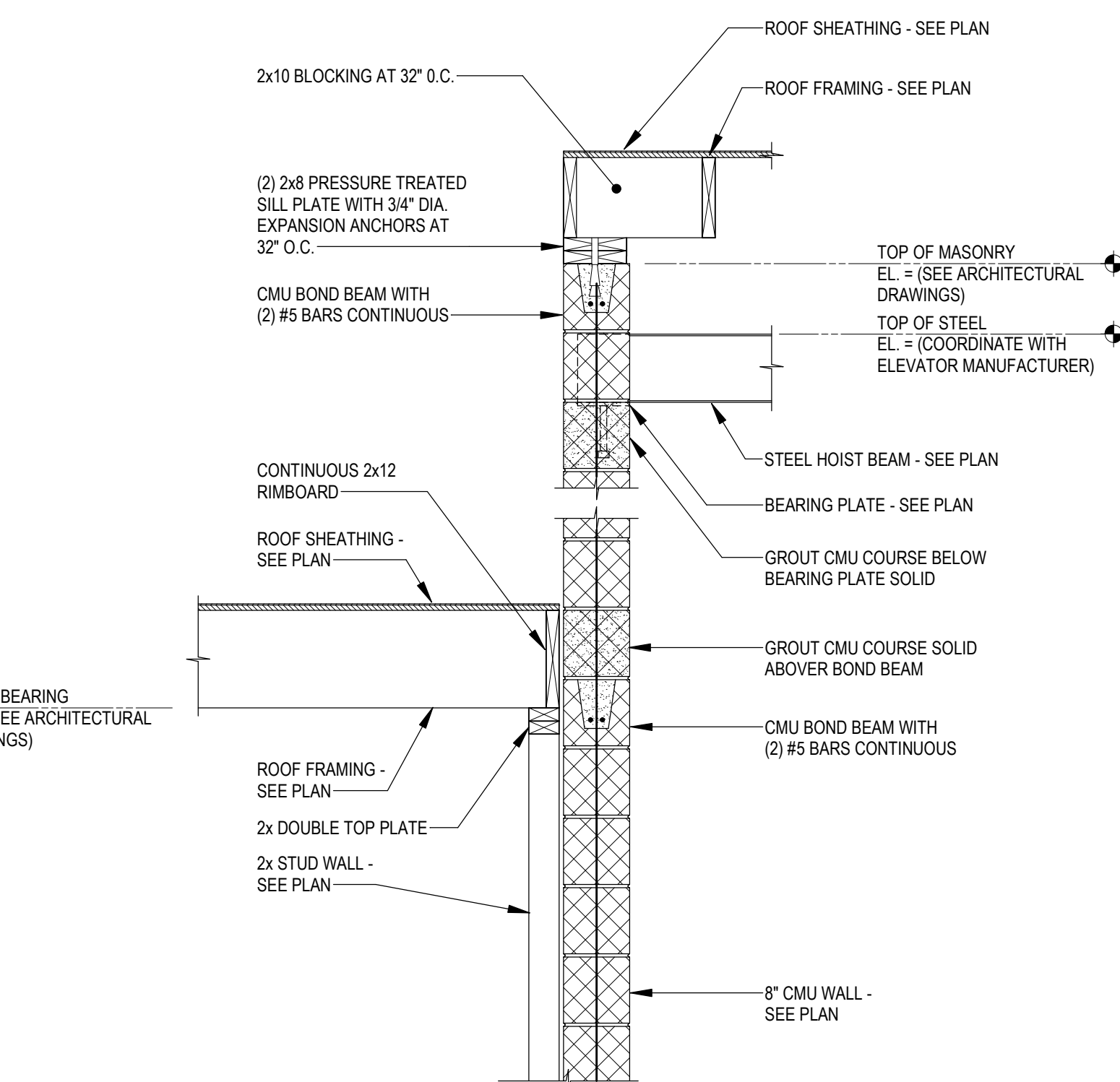
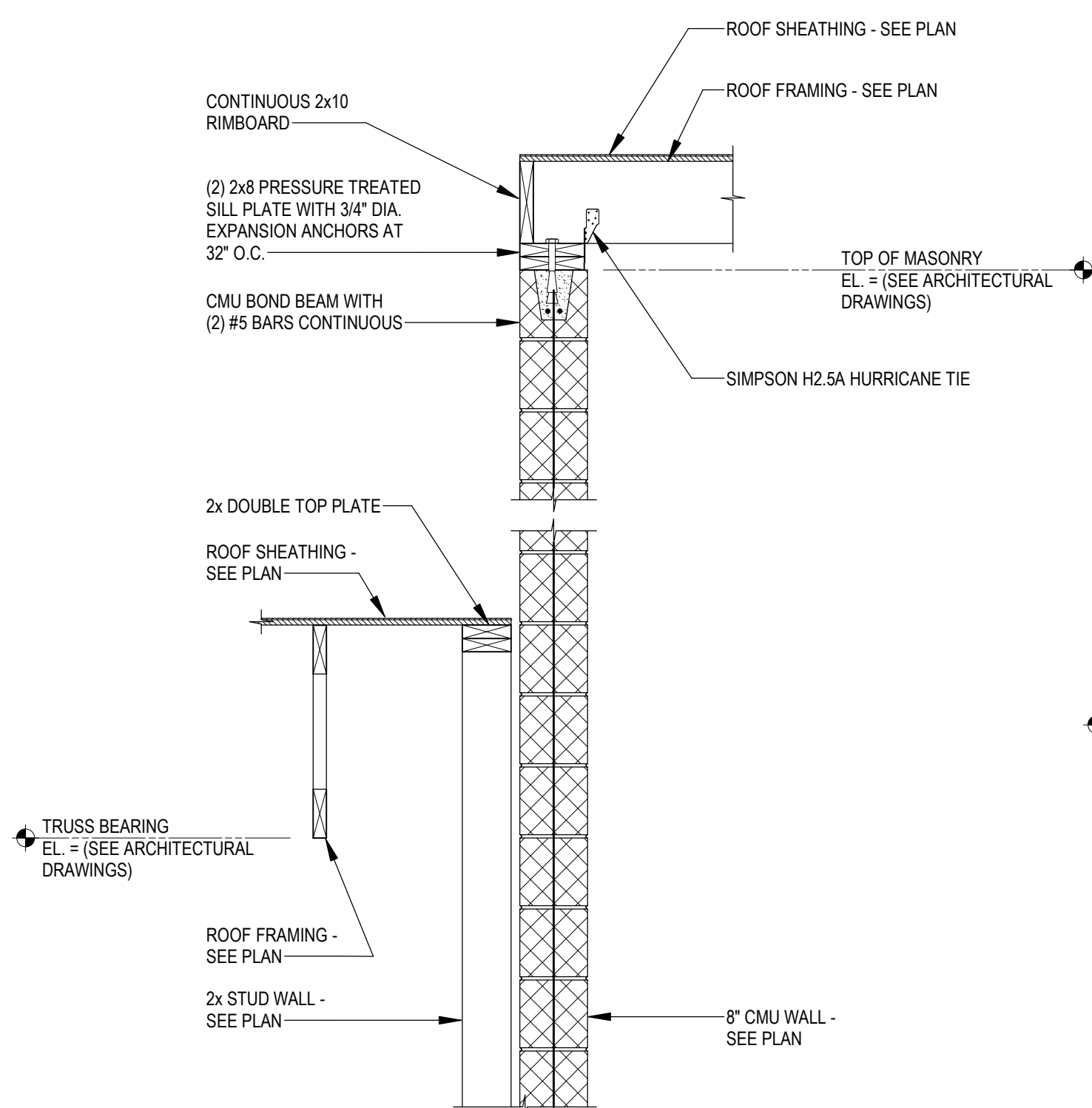
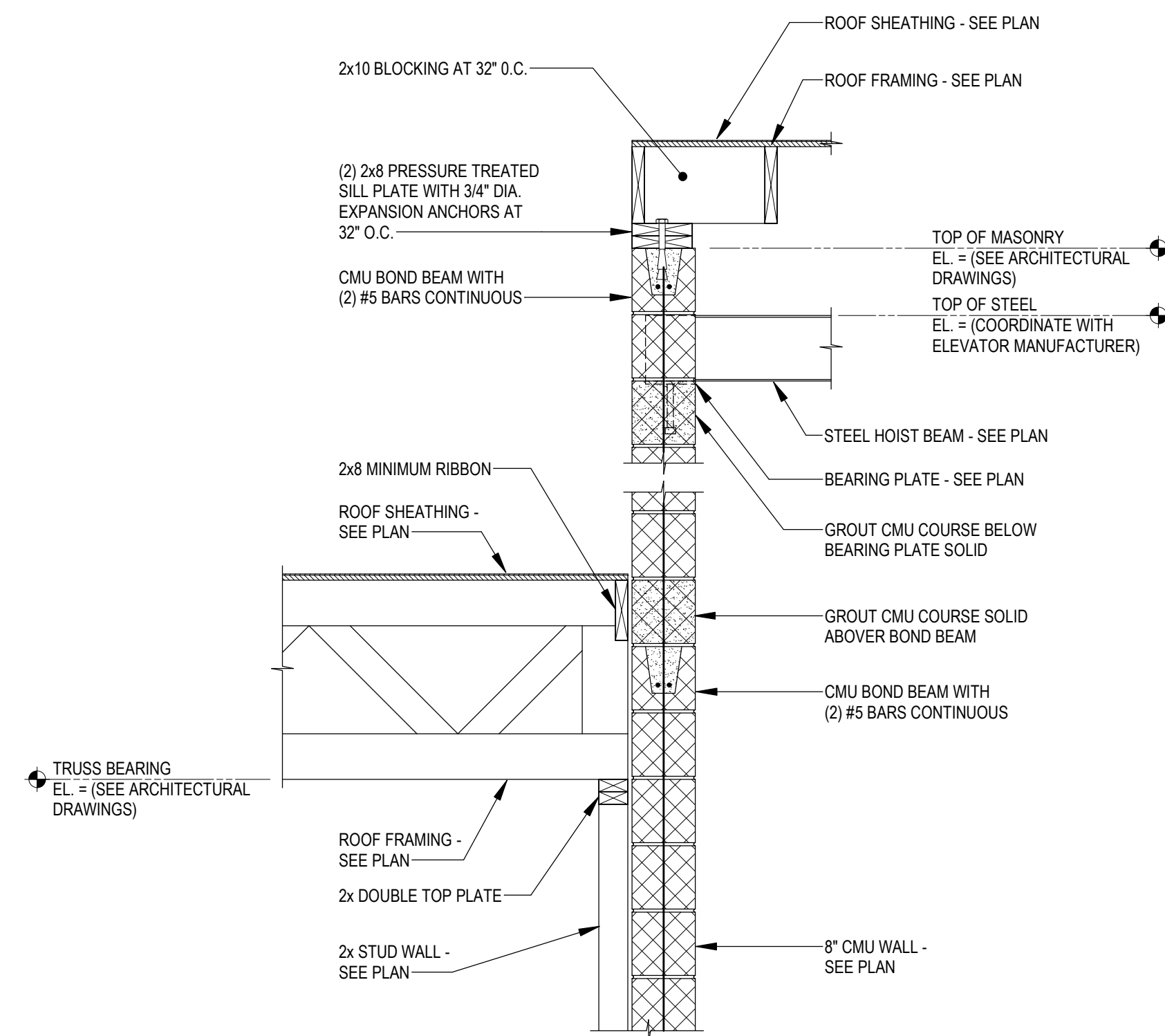
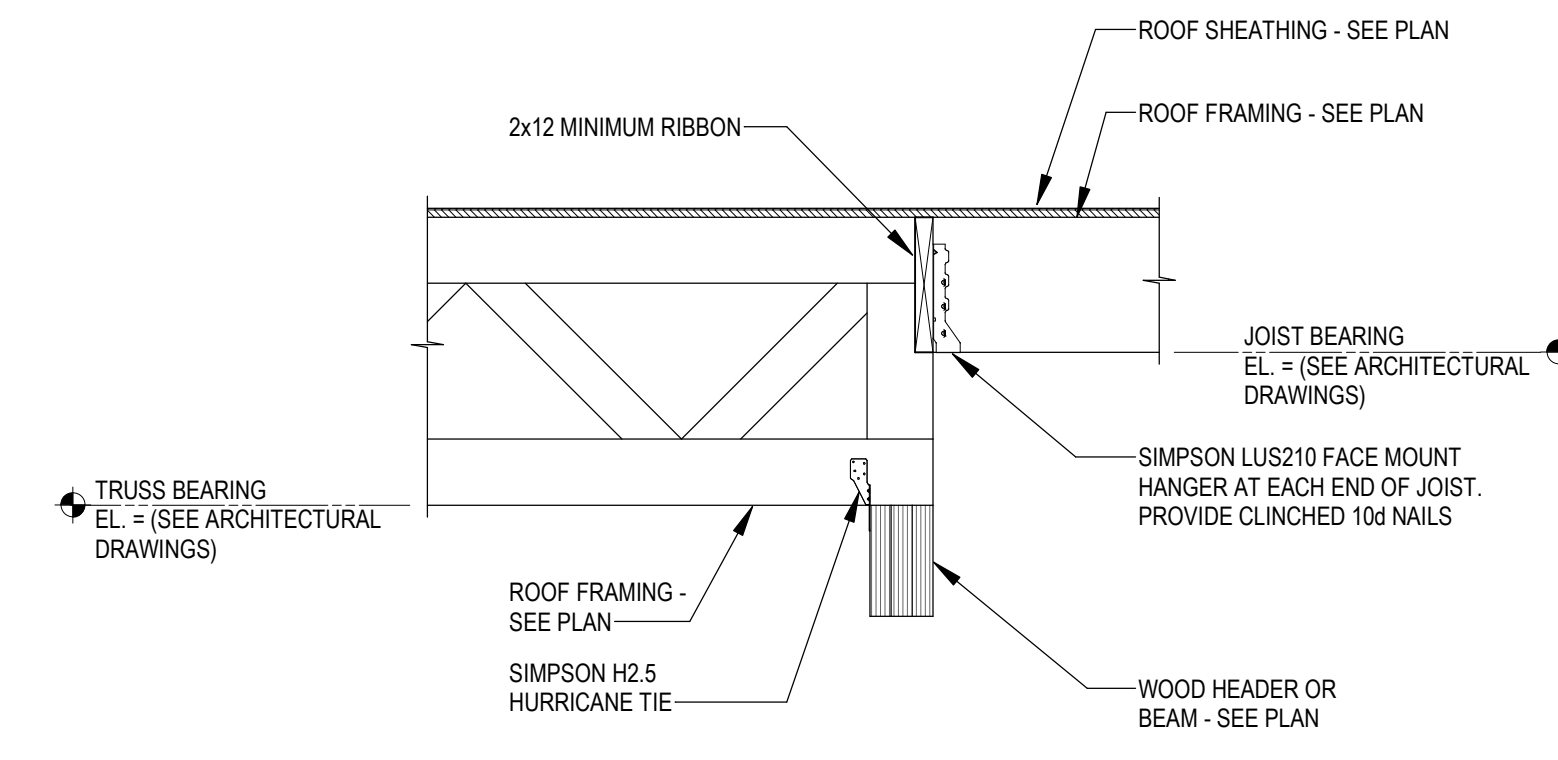
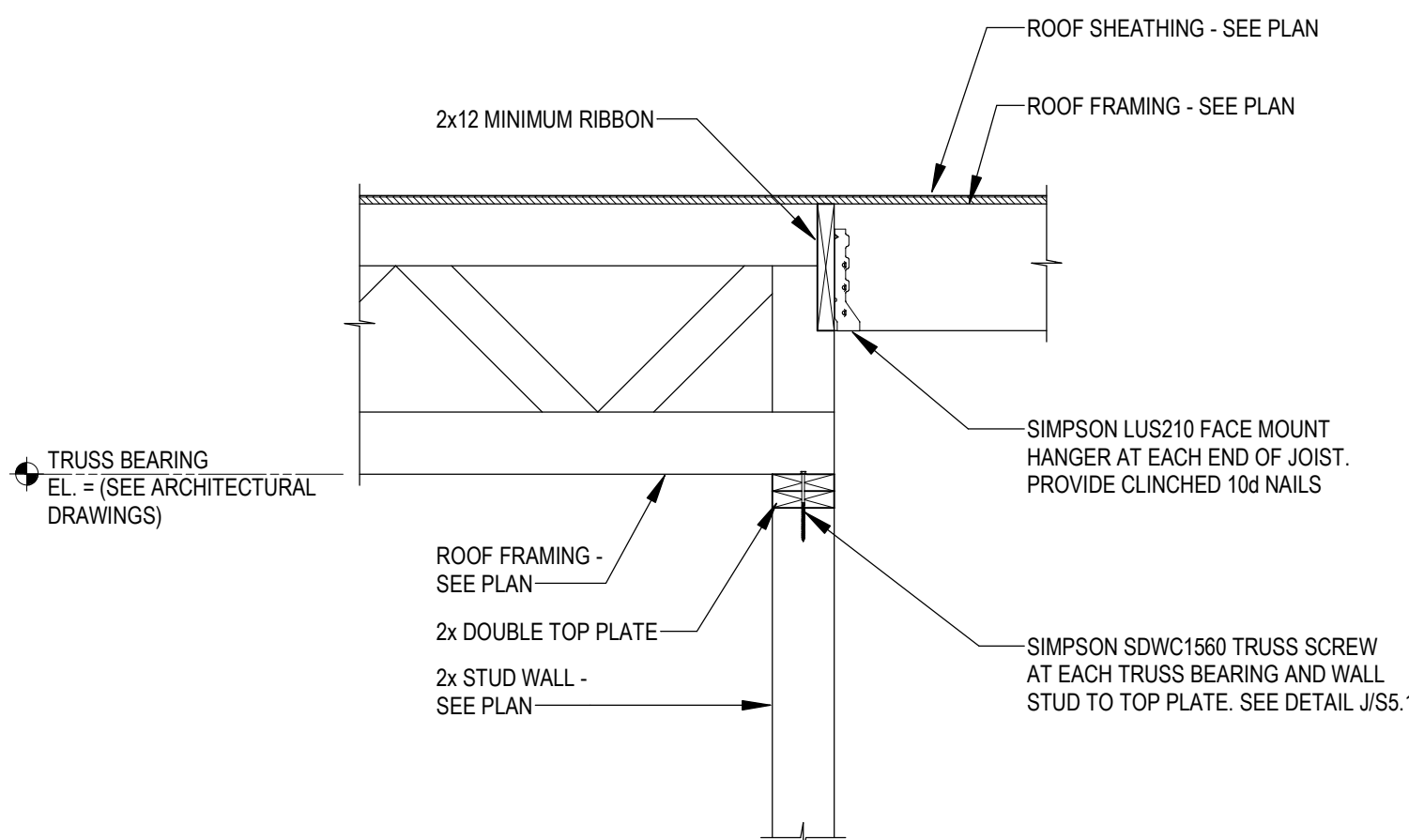
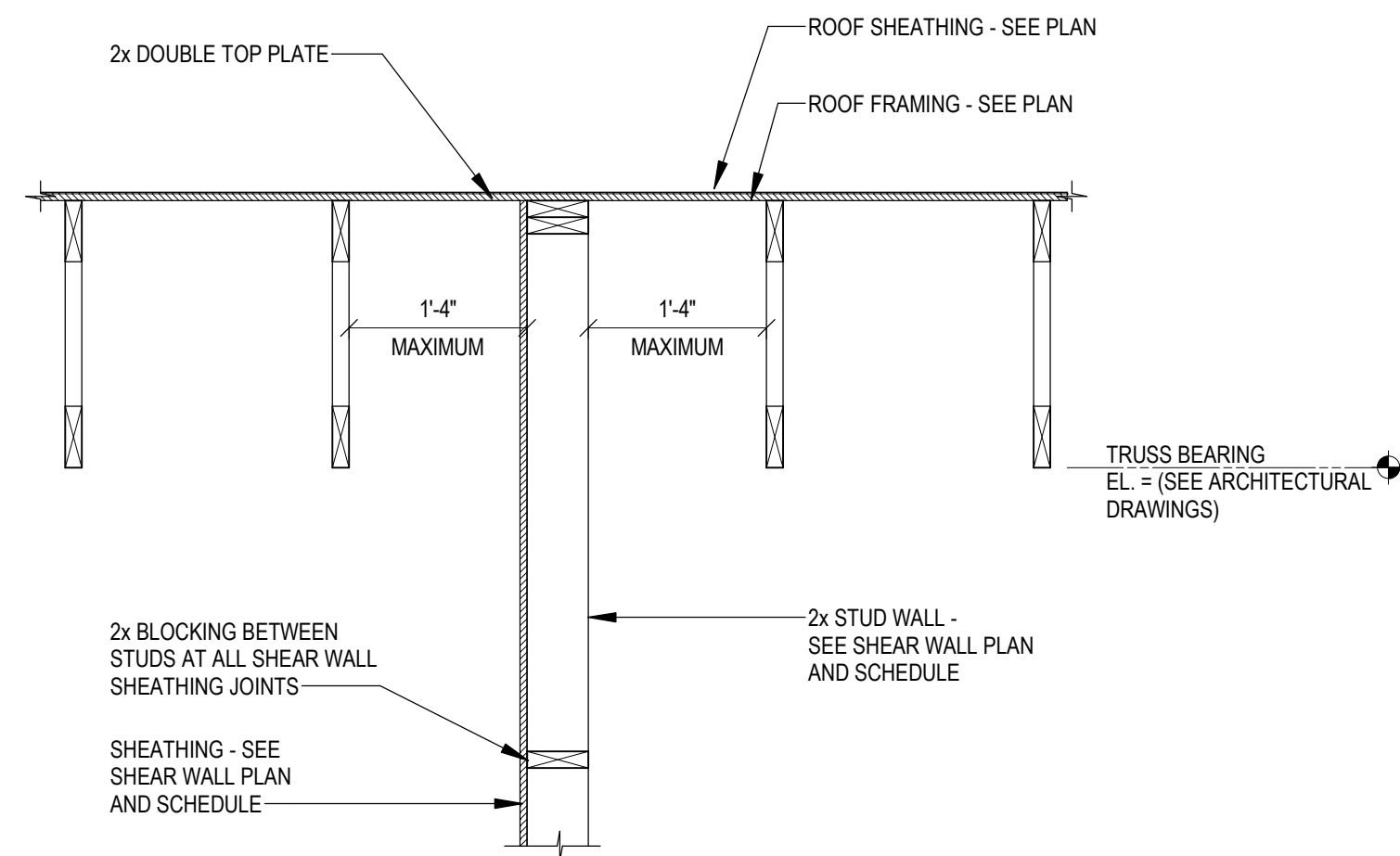
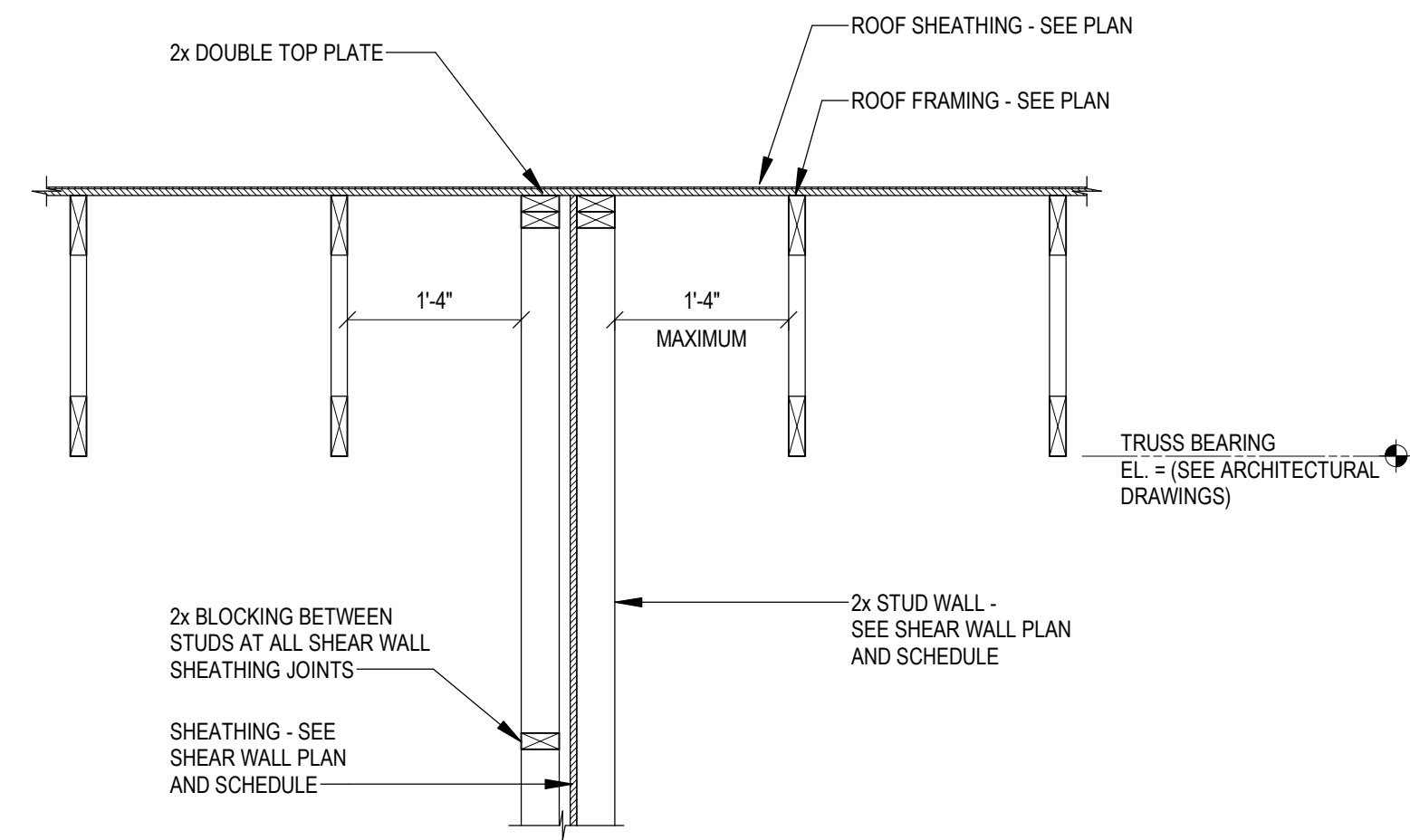
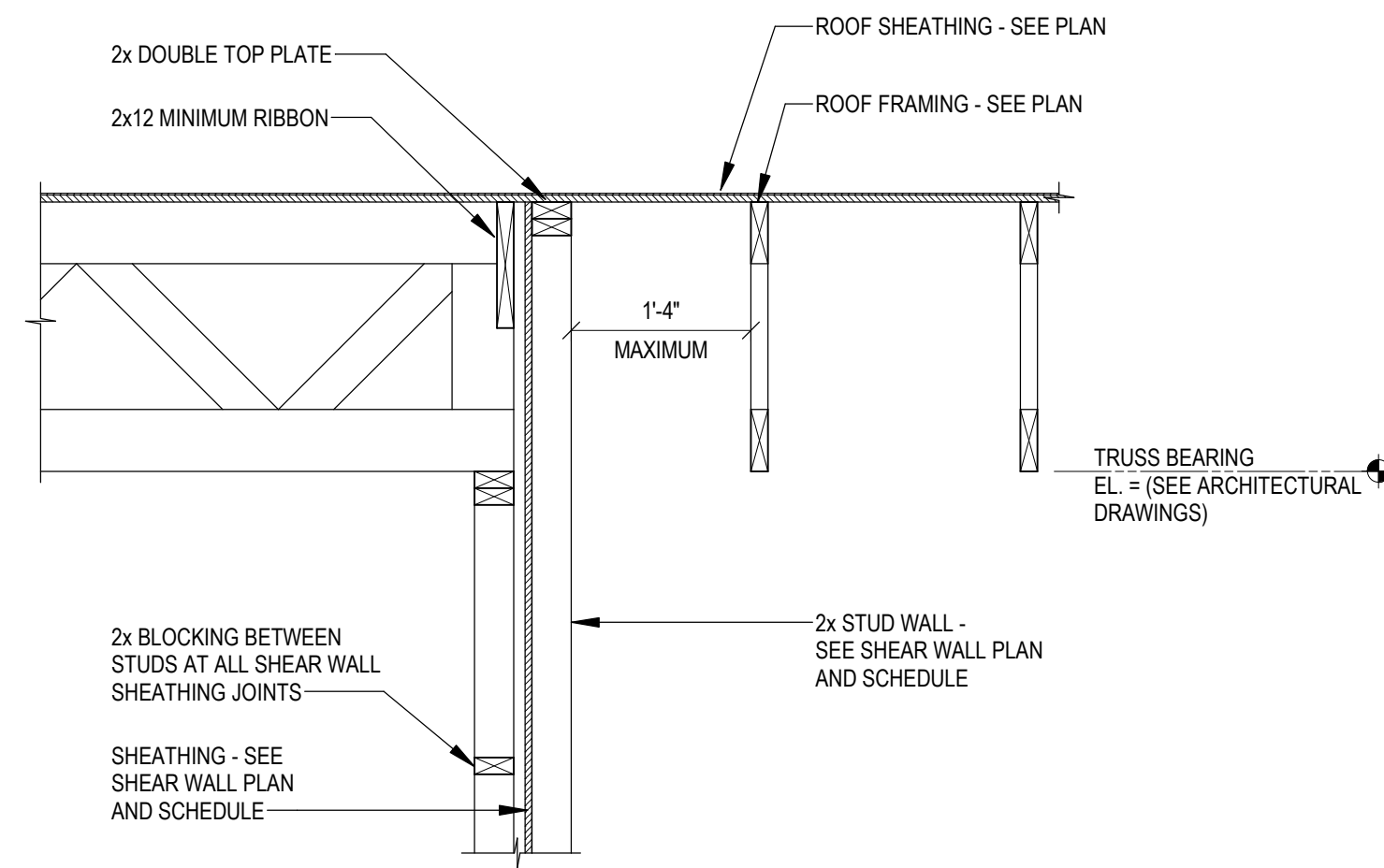
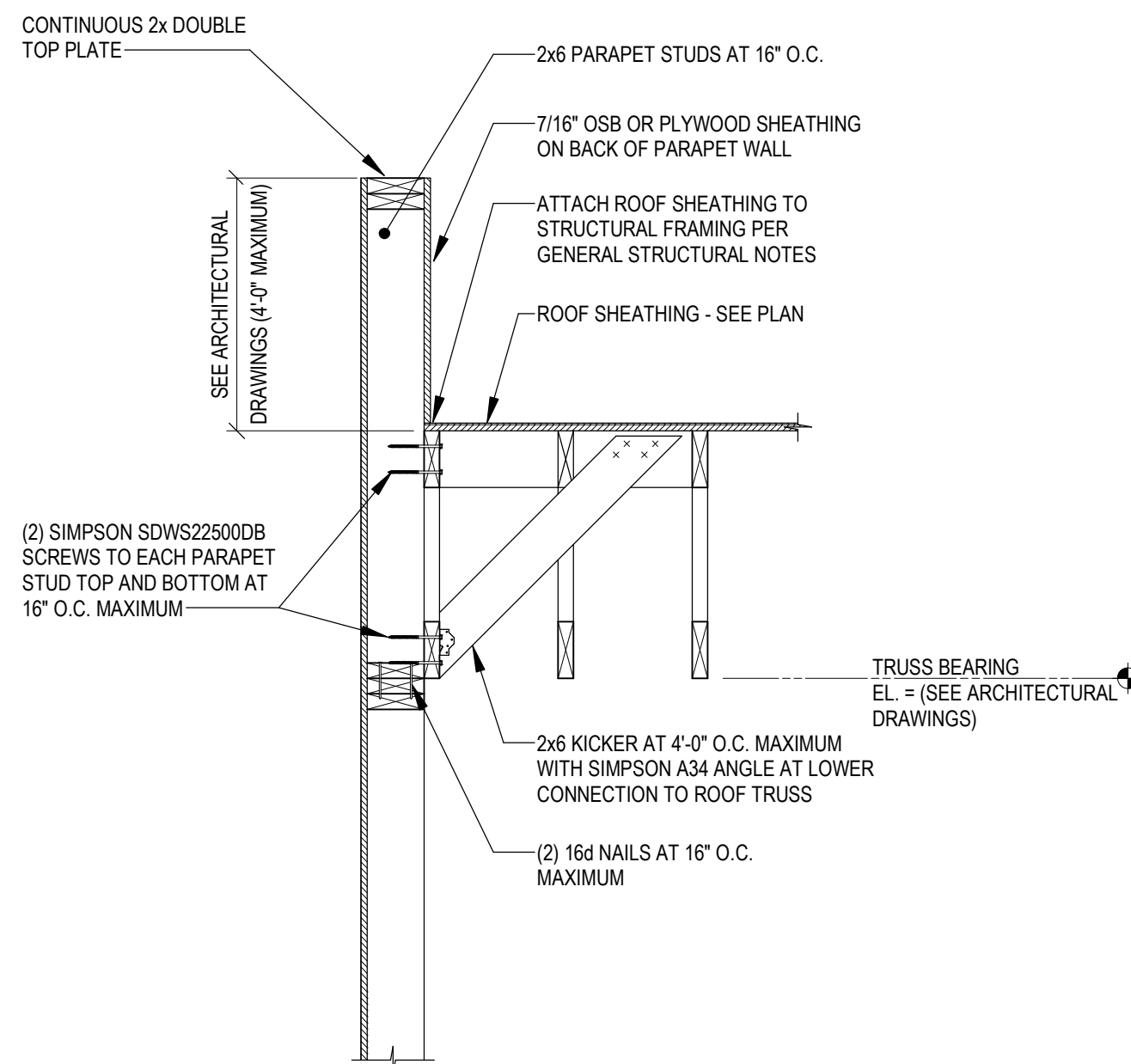
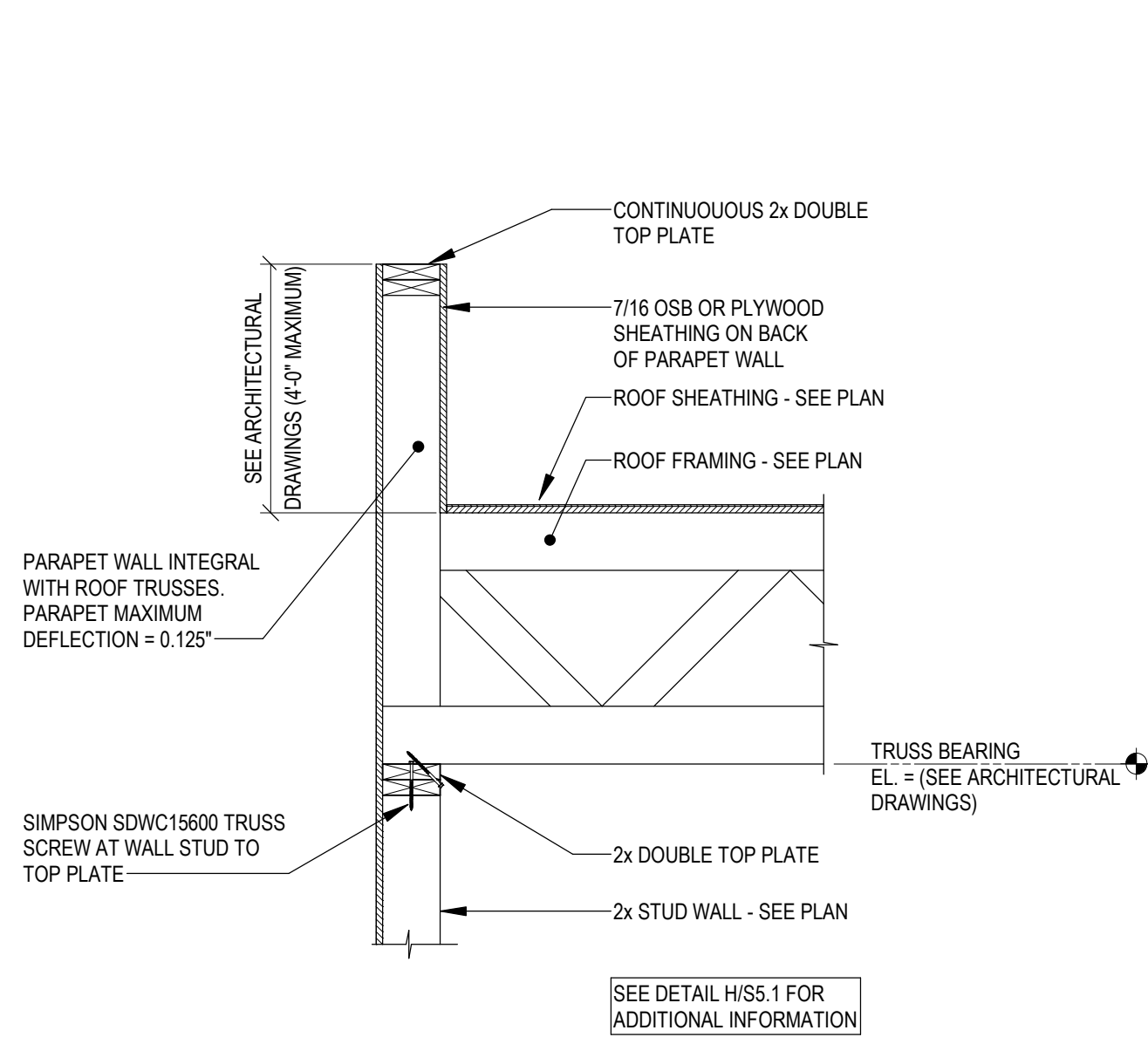
ISSUANCE

PLAN REVIEW 2023 0410

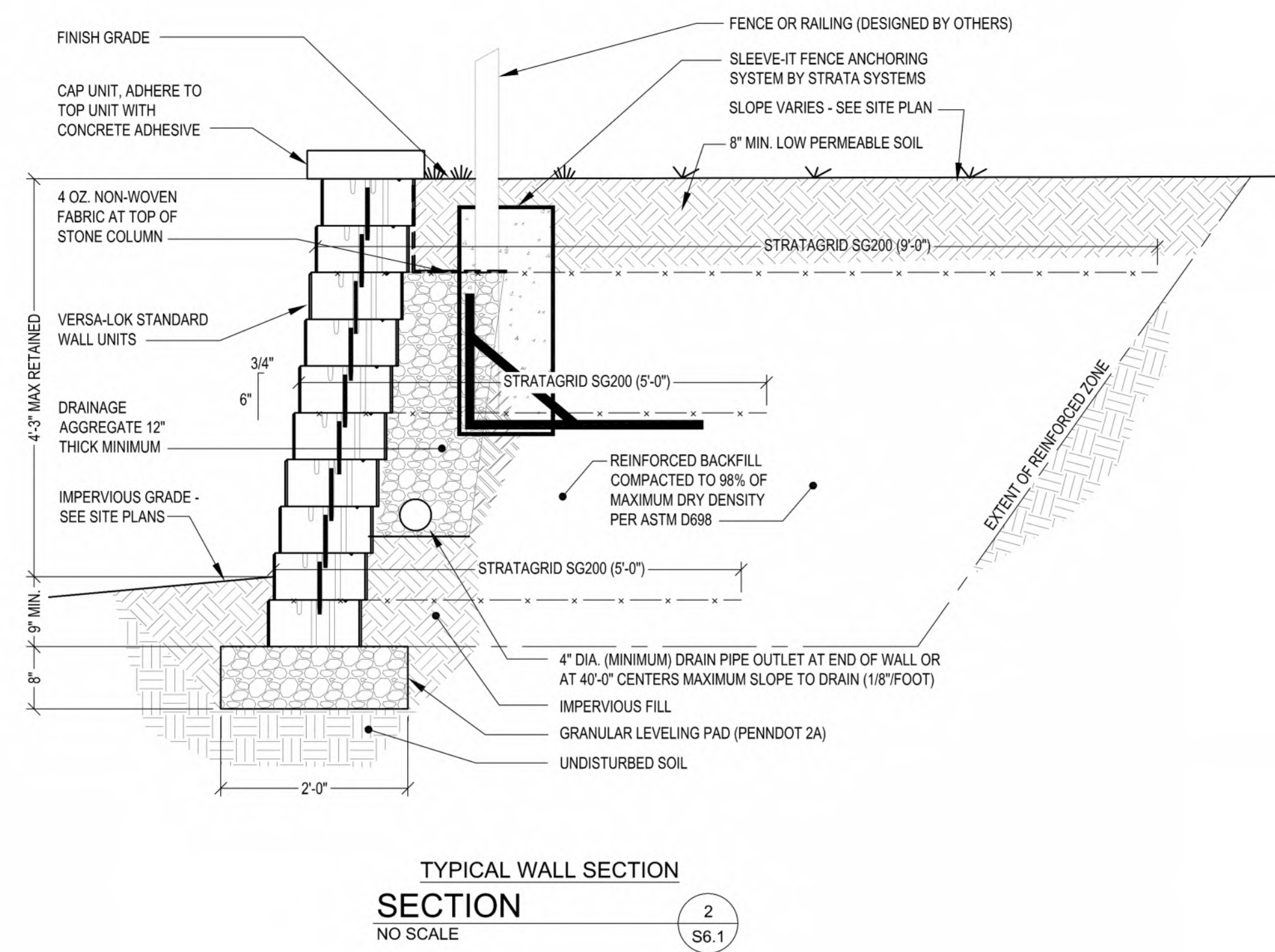
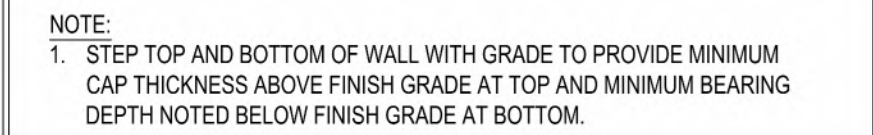
SHEET NO.

S5.3

JOB NUMBER: WOD268



2. STRIP ALL VEGETATION AND ORGANIC SOIL FROM THE WALL AREA, INCLUDING THE GEOSYNTHETIC REINFORCEMENT EMBEDMENT LENGTH. PLAN EXCAVATION DIRECTION DITCHES TO ROUTE SURFACE WATER AROUND EXCAVATION DURING WALL CONSTRUCTION.
3. BENCH CUT ALL EXCAVATED SOILS, TO THE LINES AND GRADES SHOWN ON THE DRAWINGS. CHECK AND VERIFY WALL LOCATIONS AND ALIGNMENT PRIOR TO STARTING WALL CONSTRUCTION.
4. SITE SOIL ENGINEER SHALL VERIFY FOUNDATION SOILS AS BEING COMPETENT PER THE DESIGN SPECIFICATIONS. PARAMETERS: PROJECT GEOTECHNICAL REPORT AND/OR LOCAL BUILDING CODES DO NOT OVER EXCAVATE SOIL UNLESS DIRECTED BY SITE SOIL ENGINEER TO REMOVE UNSUITABLE SOILS. MINIMUM ASSUMED BACKFILL DESIGN VALUES ARE AS FOLLOWS: MINIMUM FRICTION ANGLE = 25 DEGREES, MINIMUM MOST UNIT WEIGHT = 120 PCF, COHESION = 0 PSF. THE ALLOWABLE BEARING CAPACITY OF THE SOIL SHALL BE 2000 PSF OR GREATER.
5. MINIMUM EMBEDMENT DEPTH OF WALL BELOW FINISH GRADE SHALL BE AS SHOWN ON SECTIONS AND PROFILES.
6. FOLLOW ALL APPLICABLE PROVISIONS OF THE MANUFACTURER'S INSTALLATION INSTRUCTIONS. WHERE CONFLICTS OR SPECIFICATIONS SHALL BE USED AS GUIDANCE WHEN INSTRUCTIONS AND SPECIFICATIONS CONFLICT.
7. LEVELING PAD SHALL CONSIST OF COMPACTED PENNDOT 2A, MINIMUM 8" THICK.
8. DRAINAGE FILL TO BE ASPH/70.5% STONE.
9. WHERE PERFORATED DRAIN TILE IS USED, PROVIDE GRAVITY FLOW TO OUTLETS AT MINIMUM (1/8" PER FOOT) SLOPE.
10. BACKFILL AND COMPACT AS EACH COURSE OF SRW UNITS ARE INSTALLED. BACKFILL AGGREGATE FIRST, THEN SOIL, THEN COMPACT BOTH. MAXIMUM LIFT SHALL NOT EXCEED 8" IN LOOSE THICKNESS OR PER GEOTECHNICAL REPORT.
11. CONTRACTOR IS RESPONSIBLE FOR MOISTURE CONTROL OF NATURAL FILL SOILS USED ON SITE.
12. COMPACTION SHALL BE TO 98% OF MAXIMUM DRY DENSITY (ASTM D-698), AND WITHIN 2% OF THE SOILS OPTIMUM MOISTURE CONTENT PER WERTZ GEOTECHNICAL ENGINEERING GEOTECHNICAL REPORT NO. 20201164. ONLY LIGHTWEIGHT HAND-OPERATED COMPACTATION EQUIPMENT IS ALLOWED WITHIN 6'-0 FEET OF THE BACK OF RETAINING WALL UNITS.
13. SOIL COMPACTION TESTS SHALL BE TAKEN AS THE WALL IS INSTALLED. THE MINIMUM NUMBER OF TESTS SHALL BE DETERMINED BY THE SITE SOILS ENGINEER, BUT NOT LESS THAN EVERY 500 SQ. FT. OF WALL FACE NOR EVERY 4 FEET CHANGE IN FILL ELEVATION.
14. SEE WALL DESIGN SECTIONS AND ELEVATIONS FOR GEOGRID TYPE, LENGTH AND LOCATIONS REQUIRED.
15. GEOGRID SHALL BE THE TYPE AND LENGTH AS SHOWN ON SECTIONS. PULL GEOGRID TIGHT PRIOR TO BACKFILLING, AND STAKE OR HOOK UNTIL DRAIN FILL IS PLACED.
16. PROVIDE PERMANENT, STABILIZED, LATERAL DRAINAGE SWALES TO DIRECT SURFACE WATER FLOW ALONG THE ENDS OF THE WALL. SEE SITE/CIVIL DRAWINGS FOR DETAILS.
17. ESTABLISH TURN IMMEDIATELY AFTER WALL IS COMPLETED.
18. FINAL WALL LOCATION AND ALIGNMENT SHALL BE SURVEYED IN THE FIELD, AND REPORTED TO THE OWNER'S ENGINEER.
19. GLOBAL STABILITY HAS NOT BEEN CONSIDERED IN THE DESIGN OF THIS WALL. THIS CHECK SHALL BE PERFORMED BY THE GEOTECHNICAL ENGINEER. COORDINATE WITH SITE / CIVIL ENGINEER.
20. IF EXISTING CONDITIONS ARE DIFFERENT THAN THOSE STATED IN THESE DRAWINGS AND SPECIFICATIONS, THE CONTRACTOR MUST CONTACT THE ENGINEER AND/OR THE OWNER'S REPRESENTATIVE PRIOR TO PROCEEDING WITH WALL CONSTRUCTION.
21. ALL SETBACK, RETAINING WALL BLOCK TO BE VERSA-KOOL STANDARD UNIT, AS MANUFACTURED BY VERSA-KOOL RETAINING WALL SYSTEMS. GEOTEXTILE TO BE STRATIGRADO TYPE AND LENGTH SHOWN ON ELEVATIONS AS MANUFACTURED BY STRATA SYSTEMS.
22. CONTRACTOR SHALL COORDINATE CURVE STATIONS WITH CIVIL DRAWINGS.
23. CONTRACTOR SHALL COORDINATE PHASING OF WALL CONSTRUCTION WITH STORM WATER, UTILITIES, ETC.
24. COORDINATE INSTALLATION OF ALL UTILITIES IN PROXIMITY OF THE WALL WITH THE WALL INSTALLER. EXCAVATION OF THE REINFORCED ZONE IS NOT PERMITTED UPON COMPLETION OF WALL CONSTRUCTION.



Washington Greene
1661 Washington Street West,
Charleston, WV 25387



PROVIDENCE
ENGINEERING

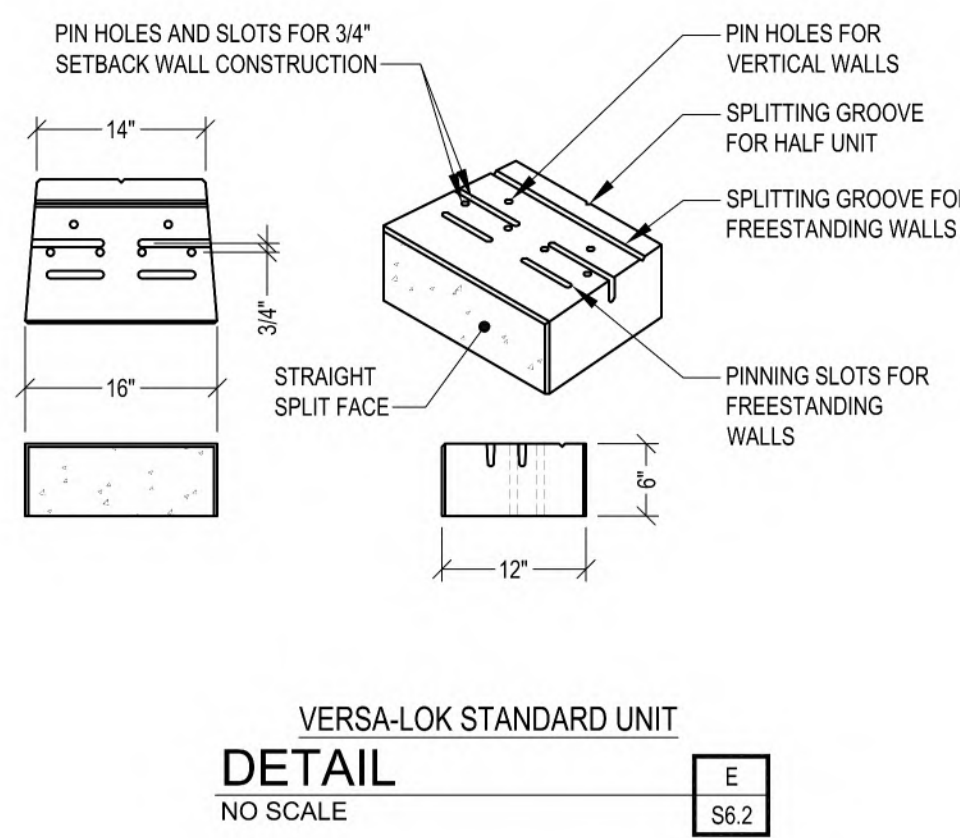
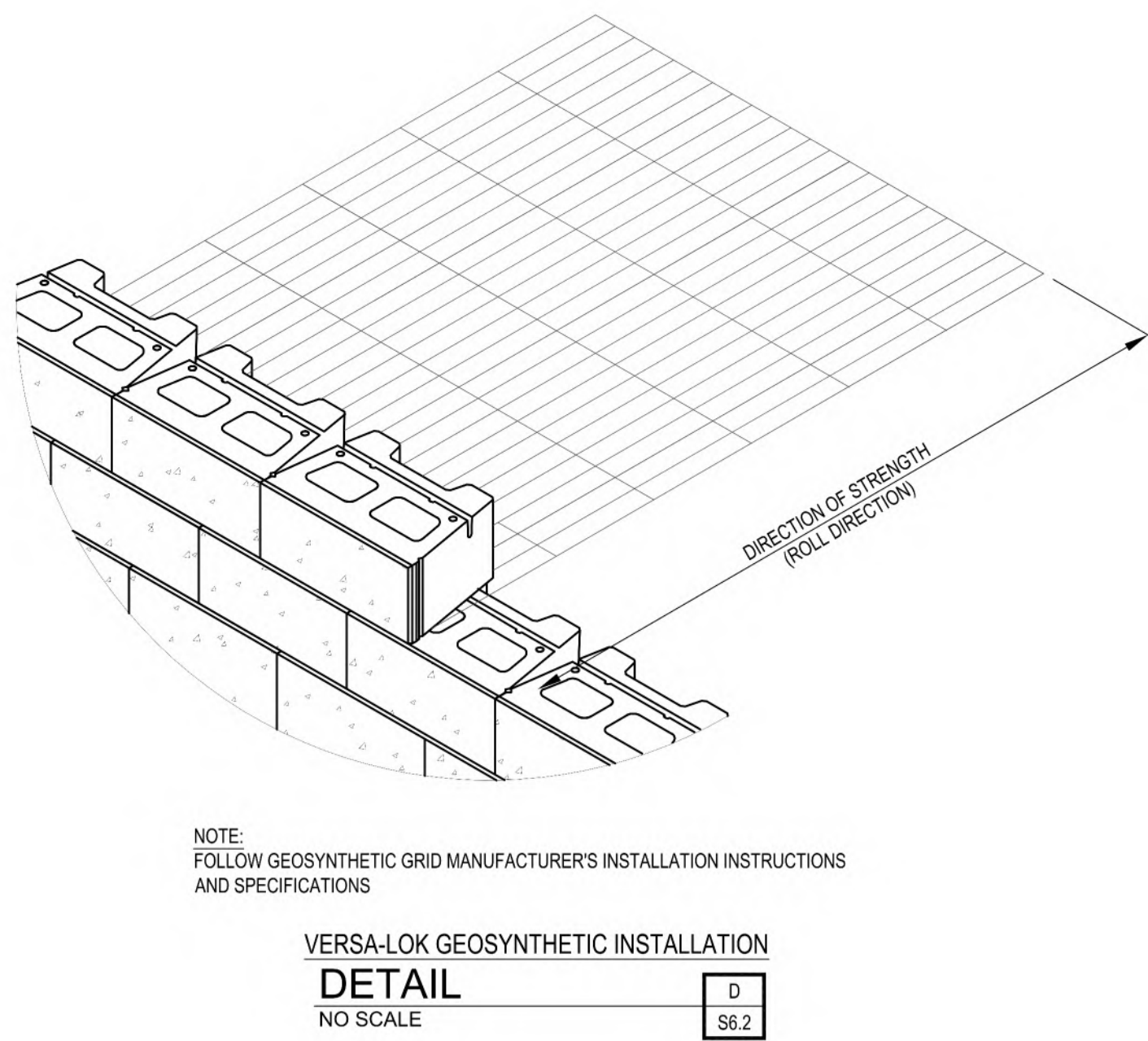
4955 Steubenville Pike, Suite 219
Pittsburgh, PA 15205
Phone: 412-407-2250
PEC Job Number: 222152
Certificate Number: C03513-00

SITE RETAINING WALLS

[illegible]

S6.1

JOB NUMBER: WOD268



Washington Greene
1661 Washington Street West,
Charleston, WV 25387



4955 Steubenville Pike, Suite 219
Pittsburgh, PA 15205
Phone: 412-407-2250
PEC Job Number: 222152
Certificate Number: C03513-00

SITE RETAINING WALL DETAILS

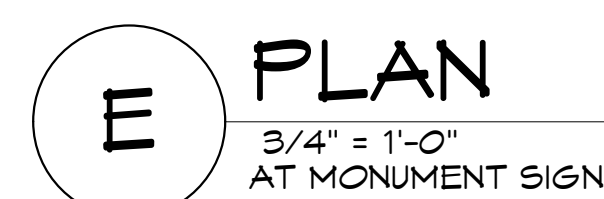
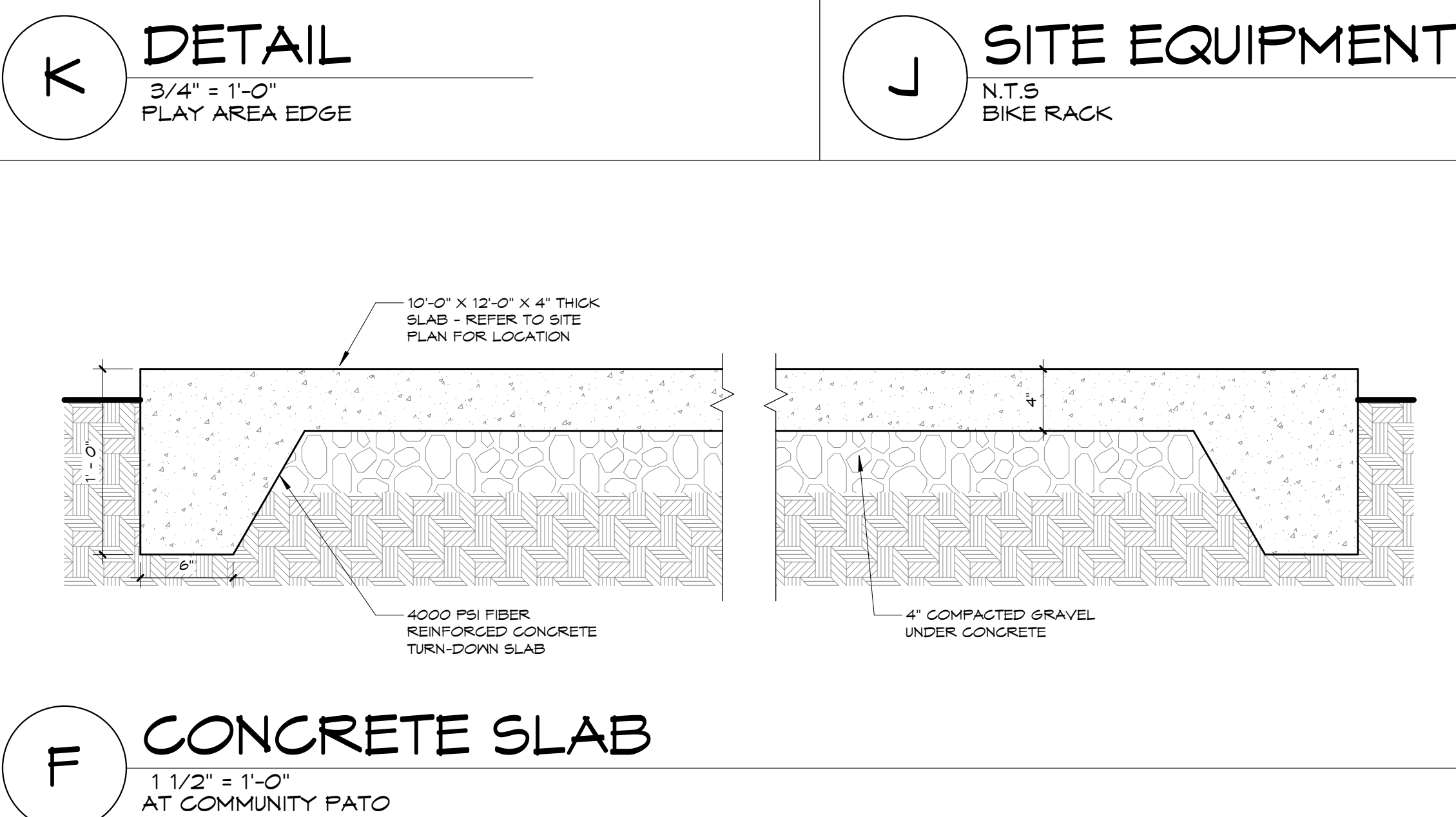
PLAN REVIEW 2023 0410

S6.2

Copyright © 2022 PCI Design Group, Inc. All Rights Reserved.



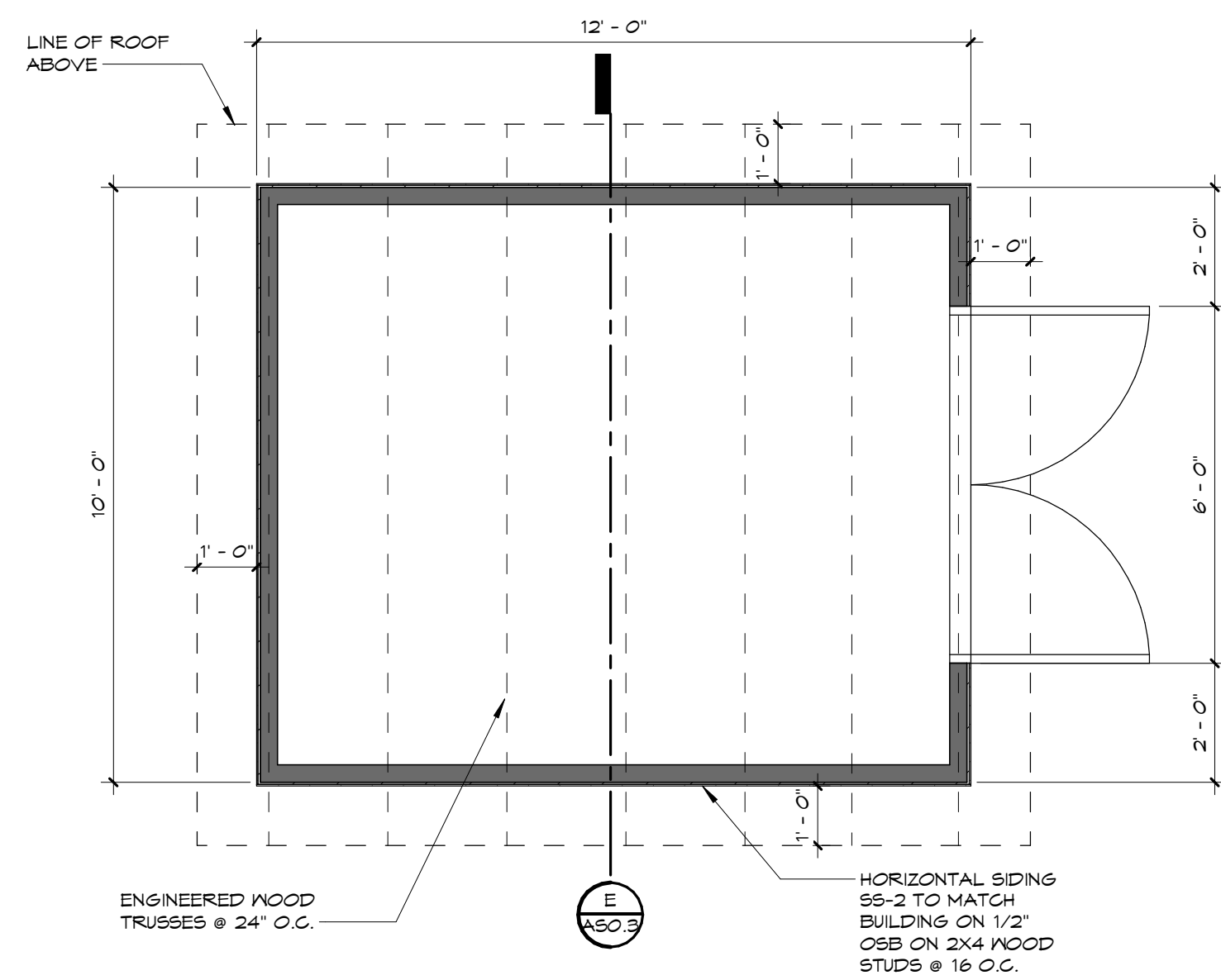
ht © 2023 PCI Design Group, Inc. All Rights Reserved



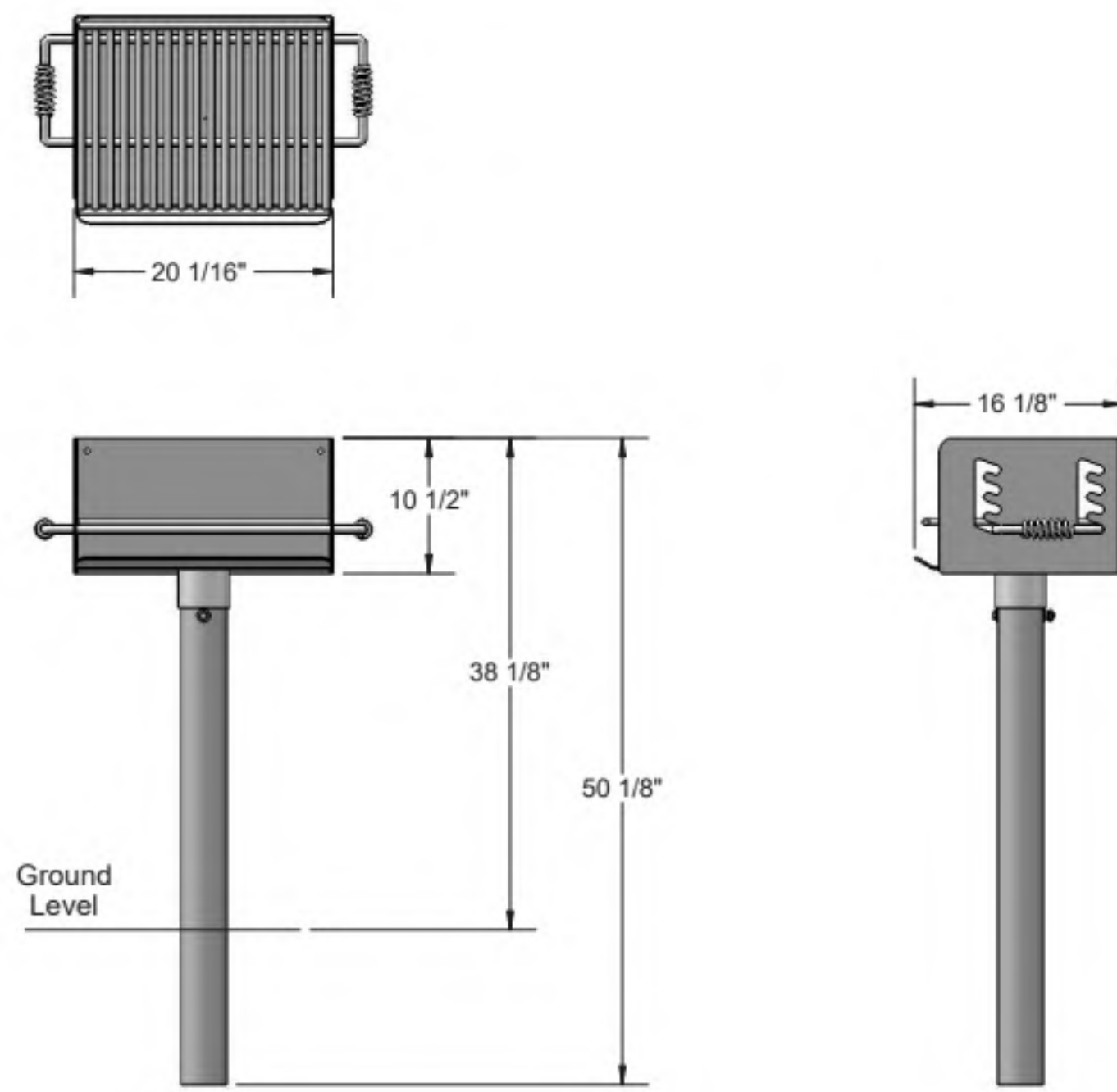
D SITE BENCH
N.T.S.



NOTE:
BYO SERIES MODEL #BYO - 1025
DIAMOND METAL BENCH W/
BACK - SURFACE MOUNT BOLT
DOWN - DIAMOND PATTERN -
BLACK FRAME - BEIGE SEAT

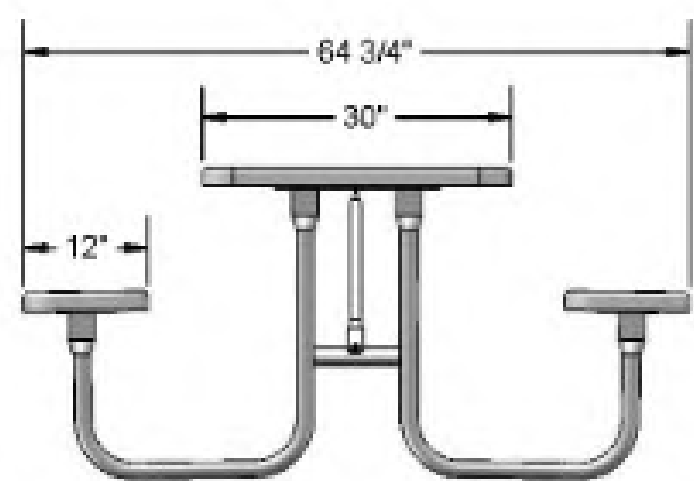
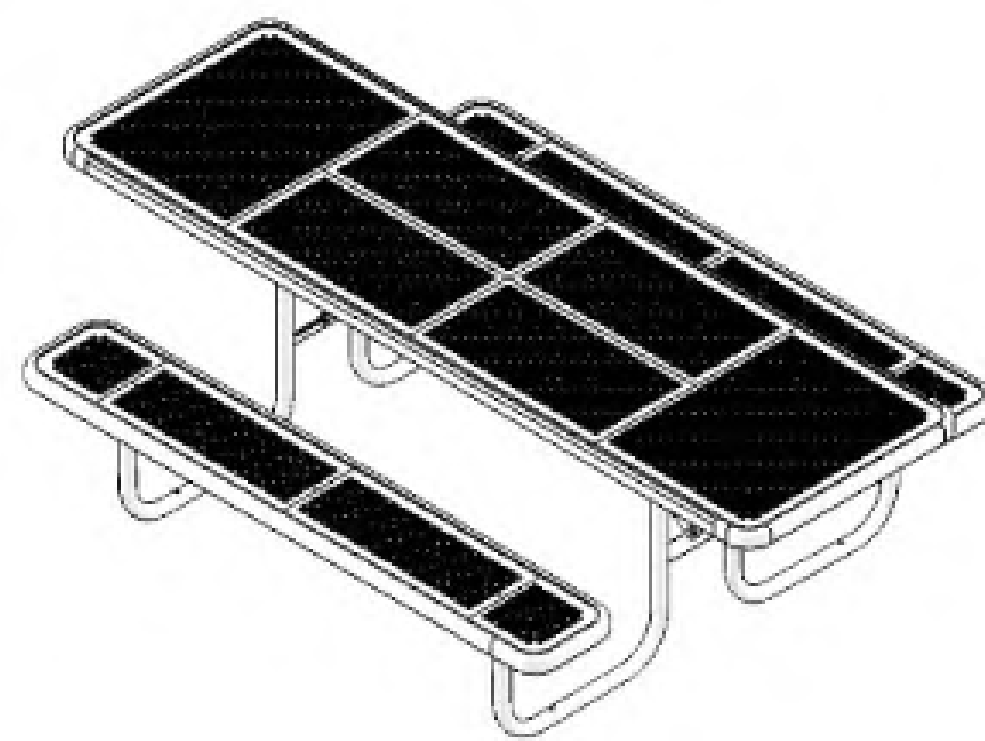
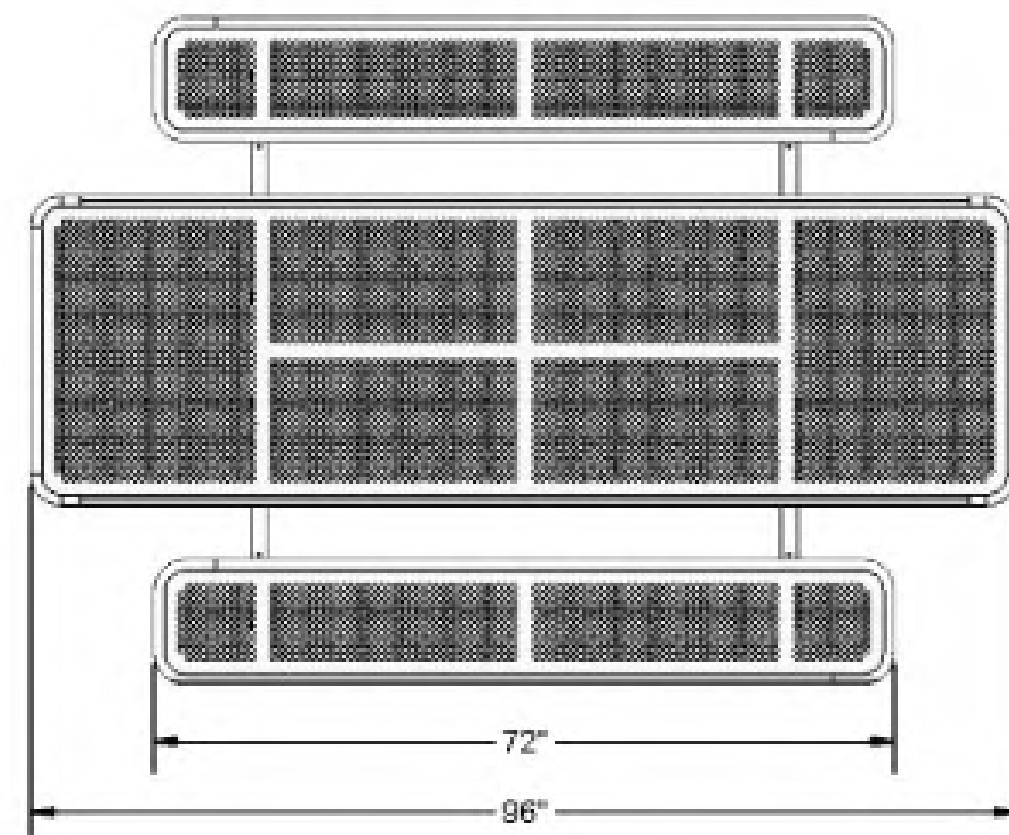


F PLAN
3/8" = 1'-0"
CUT

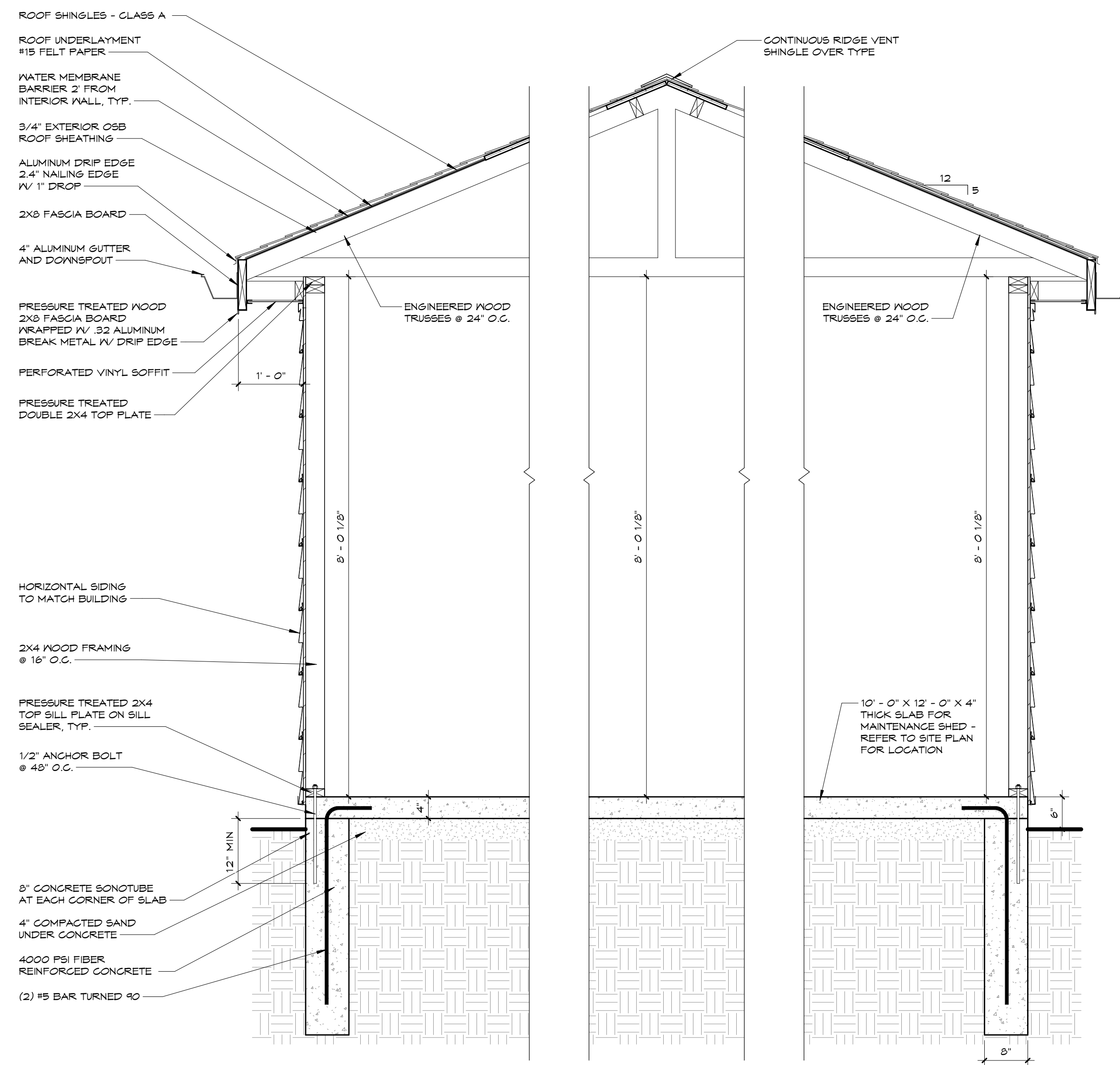


NOTE:
MANUFACTURER: ULTRASITE SUPERSAVER
MODEL/SKU: 630-3
COMPLIES W/ ANSI A117.1.2017 SEC. 305

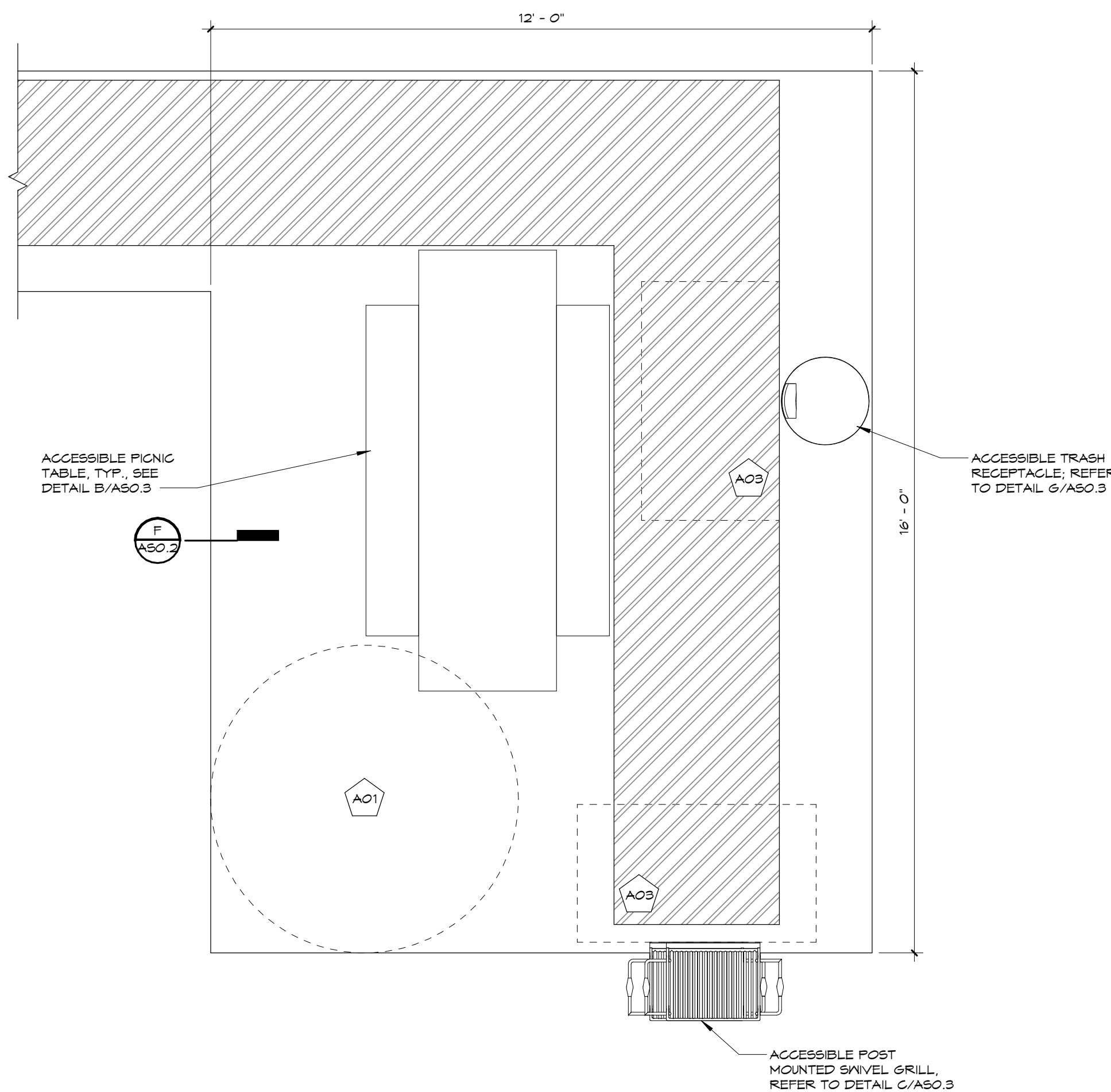
C GRILL
N.T.S.



NOTE:
MANUFACTURER: ULTRASITE SUPERSAVER
MODEL/SKU: 158HP6
COMPLIES WITH ANSI A117.1.2009



E SECTION
3/4" = 1'-0"
SHED



A FLOOR PLAN

B ACCESSIBLE PICNIC BENCH
N.T.S.

B) $\frac{AC}{N.T.S.}$

REFER TO A0.2 - A0.5 AND ANSI ICC A117.1-2017 AND UNIFORM FEDERAL ACCESSIBILITY STANDARDS FOR ALL ACCESSIBILITY REQUIREMENTS.



DESIGN GROUP
1971 E. BELTLINE AVE. NE, SUITE 201
GRAND RAPIDS, MICHIGAN 49525
PHONE: 612-330-1500
FAX: 614-396-3268

Washington Greene
1661 Washington Street West, Charleston
WV 25387

SITE DETAILS

ISSUANCE

FOR REVIEW 2023 0309

SHEET NO.

● ● ●

ASAP

מסמך

10010

ER: WOD268

© 2000 Design Group, Inc. All Rights Reserved

Bill No. 7986

Introduced in Council:

May 1, 2023

Introduced by:

Mary Beth Hoover

Adopted by Council:

Referred to:

**Municipal Planning Commission
Planning, Streets and Traffic**

Bill No. 7986 - A BILL to amend the Zoning Ordinance of the City of Charleston, as amended, by adding Section 24-100-11 relating to off-premise electronic message boards.

Now, therefore, be it ordained by the Council of the City of Charleston:

That Section 24-100-11 of the Zoning Ordinance for the City of Charleston, as amended, is hereby added to read as follows:

Sec. 24-100-11 Off-Premise Electronic Message Board

Off-premise electronic message boards may only be erected if the applicant for the proposed new sign removes and/or uninstalls other active nonconforming off-premise signs in their possession whose square footage equals at least double the square footage of the proposed new sign's total square footage.

Existing off-premise signs may be converted to an off-premise electronic message board only if an amount equaling the square footage of the converted sign's total square footage is removed from other active nonconforming off-premise signs in the applicant's possession. The conversion to an off-premise electronic message board may include structural changes but shall not increase the degree of nonconformity beyond that of the original sign.

For the purpose of this section, an active nonconforming off-premise sign is one that meets the following criteria within the past twelve (12) months:

1. has not been abandoned,
2. has had its copy face changed, or
3. has received income on the copy face.

Electronic message boards shall be static and nonanimated and shall remain fixed for a minimum of 8 seconds. Messages must transition instantly, with no transition graphics. The luminance may not exceed 5,000 nits (candela per square meter) between sunrise and sunset or 250 nits during nighttime hours.

Bill No. 7989

Introduced in Council

Passed by Council

May 1, 2023

Introduced by

Referred to

Pam Burka

**Municipal Planning Commission
Planning, Streets, and Traffic**

Bill No. 7989 – A bill 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-O district to a C-8 district, that certain parcel of land identified as 4415 MacCorkle Ave SE, Charleston, WV, 25304

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

1. The Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, is hereby amended by rezoning from an R-O district to a C-8 district the whole of the following described parcel of land:

a) Parcel No. 123 as shown on Kanawha City Tax Map No. 16. Subject parcel legally described as "LTS 13-14-15-16 BK 98 MCCORKLE AVE 4417". Said tax map is of record in the Planning Office.

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

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

Checklist for Application for Rezoning

MPC Hearing Date: May 3, 2023

Bill #: 7989

Applicant Information	Property Information
Name: <u>Andrea Richardson</u>	Address: <u>4415 MacCorkle Ave SE</u>
Address: <u>4000 Staunton Ave SE</u>	Tax Map and Parcel: <u>KC MAP 16 PARCEL 123</u>
Phone: <u>304-989-3841</u>	Zoning District: <u>R-0/C-8</u>
Agents Name, Address, Phone (If other than Applicant): <u>"</u>	Property Owner and Mailing Address: (if other than applicant) <u>"</u>

IMPORTANT: This application must be typed or legibly printed and filed by the filing deadline with the Planning Department in person or by mail to 915 Quarrier Street, Suite 1 Charleston, WV 25301. The following items must accompany this application: 1) a narrative justification to rezone including the information outlined below; 2) a Bill sponsored by a member of Charleston City Council using the format of the sample provided; 3) a map of the area proposed for rezoning, drawn to scale; 4) \$125.00 filing fee in the form of a check or money order made payable to the City of Charleston. In addition, you or your representative must be present at the scheduled public hearing in order to present your request and answer questions. THE PLANNING DEPARTMENT WILL NOT ACCEPT ANY INCOMPLETE APPLICATIONS.

JUSTIFICATION

The following shall be included in a written justification for the request for rezoning:

- ___ Statement of petitioner's identity as contract purchaser, agent or owner.
- ___ Property Address including Kanawha County Tax map and Parcel No.
- ___ Description of the use for which a rezoning is being requested and specific district being requested (eg. R-6 Medium Density Residential District or C-10 General Commercial District).
- ___ Statement of compliance with the City's Comprehensive and Neighborhood Plans, OR justification for variance from the City's Comprehensive and Neighborhood Plans.
- ___ Statement that a map of the subject property that is attached.

BILL

A Bill must be submitted along with the above justification.

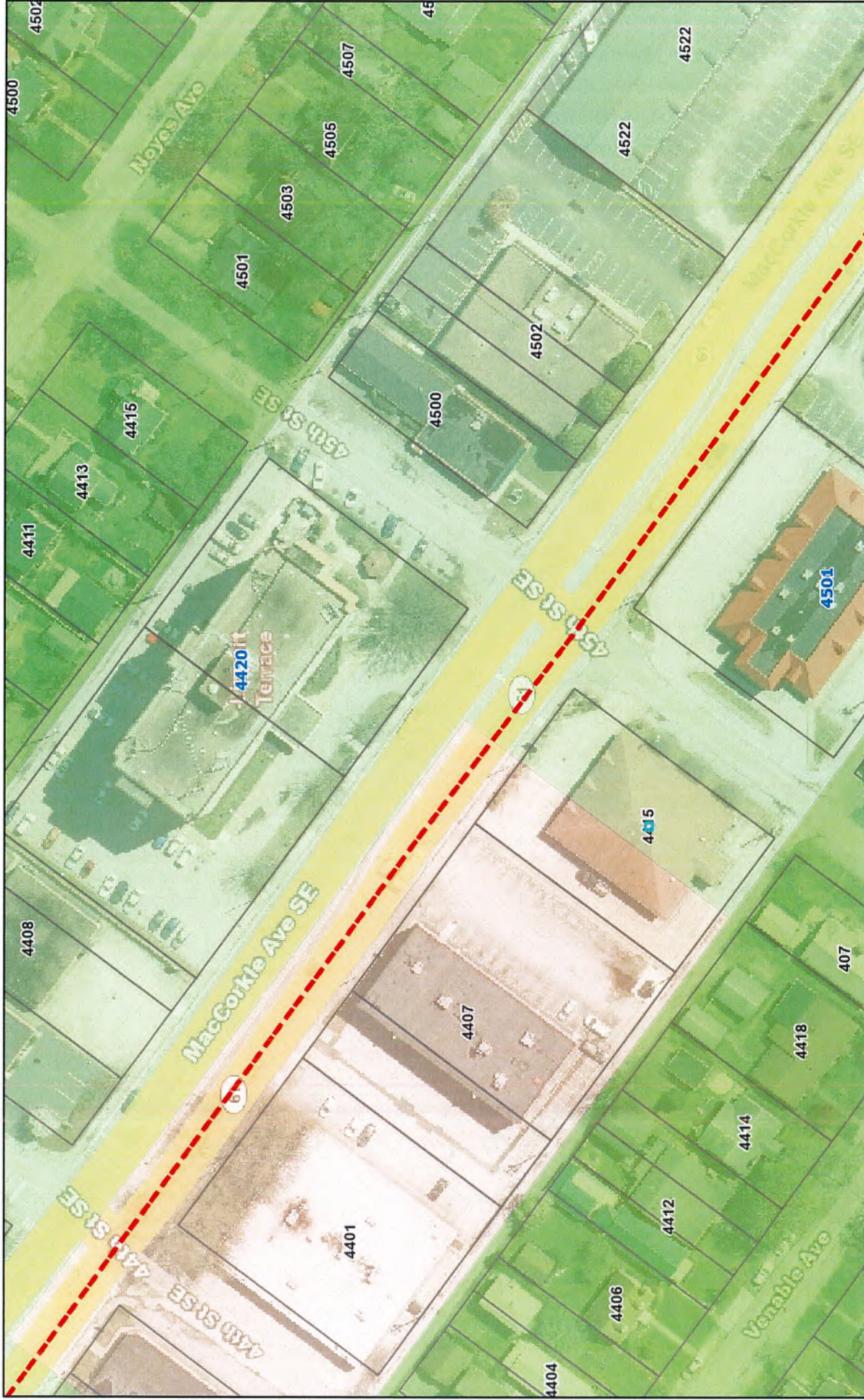
- ___ Name of sponsoring member of City Council
- ___ Formatting exactly as shown on the attached sample bill. Use Arial 12 pt type and line numbering. The Planning Department will acquire a bill number.

I hereby affirm that all of the statements and information contained in or filed with this application are true and correct to the best of my knowledge.

Andrea Richardson
Signature

4-4-23
Date

4415 MacCorkle Ave SE



4/4/2023, 12:54:36 PM

- Site Addresses - Current
- Site Addresses - Multi Unit
- Parcels
- Wards
- Zoning Districts
- R-O
- C-8
- R-4
- Interstate Exits (Numbers)

1:1,000

0 0.01 0.03 0.05 mi

0 0.01 0.03 0.05 km

GIS Department, Adam Cottrell, GIS Manager - GIS Department, Charleston, WV, City of Charleston, West Virginia, Esri, Inc.

Author
For Internal Use

MacCorkle Ave



4/13/2023, 11:40:20 AM

- Site Addresses - Current
- Site Addresses - Multi Unit
- Wards
- Zoning Districts
- Interstate Exits (Numbers)
- Parcels
- R-4
- R-O
- C-8

1:1,000

0 0.01 0.03 0.05 mi

0 0.01 0.03 0.05 km

GIS Department, Adam Cottrell, GIS Manager - GIS Department, Charleston, WV | Pictometry, Adam Cottrell, GIS Manager - GIS Department, Charleston, WV

Author
For Internal Use



PUBLIC HEARING NOTICE

Public Hearing – Notice is hereby given that the City of Charleston’s Municipal Planning Commission will hold a public hearing:

DATE: May 3, 2023
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. 7989 - A Bill 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 a combination of a R-O and C-8 districts to a solely C-8 district, the lots 15 and 16 of the parcel situated at 4415 MacCorkle Ave SE, Charleston, WV and Tax Map 16, Parcel 123 of Kanawha City.

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.

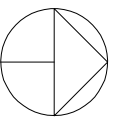
The file (including the application, plans and written statements submitted by interested parties) is available for your inspection in the City Planning Department office, City Service Center, 915 Quarrier Street, Suite 1.

For more information, please call (304) 348-8105, email chad.webb@cityofcharleston.org, or visit the office. As a matter of general policy these proceedings will not be transcribed. Anyone wishing a legal transcript must provide a court reporter at their own expense.

Sincerely,

A handwritten signature in blue ink that reads "Chad Webb".

Chad Webb
Planner – City of Charleston



REZONING FROM R-0 TO C-8

STAFF
EXHIBIT



Bill No. 7990

Introduced in Council:

May 1, 2023

Introduced by:

Mary Beth Hoover

Adopted by Council:

Referred to:

**Municipal Planning Committee
Planning, Streets and Traffic**

Bill No. 7990 - A Bill to repeal and replace Chapter 91, Article II of the Code of the City of Charleston, as amended, relating to updating the floodplain regulations.

Now, therefore, be it Ordained by the Council of the City of Charleston:

That Chapter 91, Article II of the Code of the City of Charleston, West Virginia, be repealed and replaced, all to read as follows:

CHAPTER 91. - ZONING

ARTICLE II. - Floodplain Ordinance

DIVISION 1. - IN GENERAL

Sec. 91-11 Intent.

The intent of this Ordinance is to:

- (a) Promote the general health, welfare, and safety of the Community.
- (b) Encourage the utilization of appropriate minimum construction practices to prevent or minimize flooding damage.
- (c) Minimize danger to public health and safety by protecting the water supply and sanitary sewage disposal in cooperation with the City Sanitarian, and to protect natural drainage.
- (d) Assure the County Assessor obtains information concerning improvement of real property as required by WV Code §11-3-3a.
- (e) Assure all E-911 addresses are obtained and kept current to maintain the established emergency response dispatch systems.
- (f) Reduce financial burdens imposed on the residents, real property owners and its governmental units by preventing the unwise design and construction of development in areas subject to flooding.

36 **Sec. 91-12 Abrogation and Greater Restrictions.**

37
38 This ordinance supersedes any other conflicting provisions which may be in effect
39 in identified floodplain areas. However, any other ordinance provisions shall remain in
40 full force and effect to the extent that those provisions are more restrictive. If there is
41 any conflict between any of the provisions of this Ordinance, the more restrictive shall
42 apply.

43
44 **Sec. 91-13 Applicability.**

45
46 It shall be unlawful for any contractor, person, partnership, business, or corporation
47 to undertake or cause to be undertaken, any development, new construction,
48 substantial improvement, repair of substantial damage, other repairs, or the placement
49 or relocation of any structure (including manufactured homes) in the Special Flood
50 Hazard Area within the City of Charleston unless a floodplain determination has been
51 made from the Floodplain Administrator, a floodplain permit application has been
52 completed, and a permit has been issued by the Floodplain Administrator. In addition,
53 where land is partially or fully in the Floodplain is to be developed, subdivided, utilized
54 for a manufactured home park or subdivision, or otherwise developed, a site plan with
55 elevation data must be submitted to, and approved by, the Floodplain Administrator
56 prior to any development.

57
58 Provision of all other codes, ordinances, and regulations shall be applicable insofar
59 as they are consistent with the provisions of this Ordinance and the City's need to
60 minimize the hazards and damage resulting from flooding.

61
62 **Sec. 91-14 Matters not provided for specifically.**

63
64 Where conditions are encountered that are not specifically provided for herein, the
65 Floodplain Administrator shall determine the applicability of the provisions of this
66 Ordinance in accordance with its intent and shall require the applicant to take
67 appropriate measures pursuant to such determination.

68
69 **DIVISION 2. - INTERPRETATIONS AND DEFINITIONS**

70
71 **Sec. 91-21 Definitions**

72
73 Unless specifically defined below, words and phrases used in this Ordinance shall
74 be interpreted to give this Ordinance it's most reasonable application.

75
76 *Adjacent property* includes any surface tract, regardless of whether such surface
77 tract is entirely within the City of Charleston, so long as a portion of said surface tract is
78 located within the City of Charleston, which shares an immediate and common
79 boundary up or down stream to the property that is the subject of the application for
80 Floodplain Permit. Adjacent property also includes all other property that may be
81 affected by flooding.

82
83 *Advisory flood height* means the water surface elevation (WSEL), in feet, of the 1%
84 annual chance (100-year) flood at a given location, as determined using hydrology and
85 hydraulics (H&H) analysis and the best available elevation data.

86
87 *Adversely affect adjacent properties* means to adversely affect a property the
88 increase in the elevation of the 100-year base flood elevation must be more than 1 foot
89 at any point. Stated conversely, if the effect is that the 100-year flood base flood
90 elevation rises 1 foot or less the property is not “affected”. This standard does not apply
91 to the Floodway. If prior permit(s) has/have been approved in the same area of the
92 Floodplain, the above definition would include the cumulative impact to the base flood
93 elevation.

94
95 *Appurtenant structure* means a secondary structure on the same parcel of property
96 as the principal structure, the use of which is incidental and shall not be habitable but
97 shall be used only for storage in association with the principal structure on said
98 property. This does not include a gas or liquid storage tank.

99
100 *Base flood* means the flood having a one percent (1%) chance of being equaled or
101 exceeded in any given year.

102
103 *Base Flood Elevation (BFE)* means the water surface elevation of the base flood in
104 relation to the datum specified on the City’s Flood Insurance Rate Map. For the
105 purposes of this Ordinance, the one hundred (100) year flood or 1% or greater chance
106 of flooding in any given year. (See 100-year flood also)

107
108 *Basement* means any area of the building having its floor sub grade (below ground
109 level) on all sides.

110
111 *Certificate of Floodplain Compliance* means a certification that the entire
112 development, including the elevation of fill or the lowest floor of a structure is in
113 compliance with all the provisions of this Ordinance.

114
115 *Compensatory storage* means an artificially excavated, hydraulically equivalent
116 volume of storage within the special flood hazard area used to balance the loss of
117 natural flood storage when artificial fill or structures are placed within the special flood
118 hazard area.

119
120 *Contractor* means a person who in any capacity for compensation, other than as an
121 employee of another, undertakes, offers to undertake, purports to have the capacity to
122 undertake, or submits a bid to construct, alter, repair, add to, subtract from, improve,
123 move, wreck or demolish any building, highway, road, railroad, structure or excavation
124 associated with a project, development or improvement, or to do any part thereof,
125 including the erection of scaffolding or other structures or works in connection therewith,
126 where the cost of undertaking is two thousand five hundred dollars or more. Contractor

includes a construction manager who performs management and counseling services on a construction project for a professional fee.

Contractor does not include:

- (1) One who merely furnishes materials or supplies without fabricating or consuming them in the construction project;
- (2) A person who personally performs construction work on the site of real property which the person owns or leases whether for commercial or residential purposes;
- (3) A person who is licensed or registered as a professional and who functions under the control of any other licensing or regulatory board, whose primary business is real estate sales, appraisal, development, management and maintenance, who acting in his or her respective professional capacity and any employee of such professional, acting in the course of his or her employment, performs any work which may be considered to be performing contracting work;
- (4) A pest control operator licensed under the provisions of W.Va. Code §19-16A-7(a) to engage in the application of pesticides for hire, unless the operator also performs structural repairs exceeding one thousand dollars on property treated for insect pests; or
- (5) A corporation, limited liability corporation, partnership, or sole proprietorship whose primary purpose is to prepare construction plans and specifications used by the contractors defined in this section and who employs a full-time registered architect licensed to practice in this State or a registered professional engineer licensed to practice in this State. Contractor also does not include employees of such corporation, partnership, or sole proprietorship.

Critical facility means any facility in which even a slight chance of flooding is too great a threat.

Typical critical facilities include hospitals, fire stations, police stations, storage of critical records, and similar facilities. These should be given special consideration when formulating regulatory alternatives and floodplain management plans. A critical facility should not be located in a special flood hazard area if at all possible. If a critical facility must be located in a special flood hazard area it should be provided a higher level of protection so that it can continue to function and provide services during a flood.

Development means any man-made change to improved or unimproved real property, including but not limited to buildings or other structure, mining, dredging, filling, grading, paving, excavation or drilling operations, oil/gas well sites, pads, pits, retention ponds or storage of equipment or materials.

173
174 *Flood* means a general and temporary inundation of water in an area of normally
175 dry land.

176
177 *Flood Insurance Rate Map (FIRM)* means the official map on which the Federal
178 Emergency Management Agency has delineated both the special flood hazard areas
179 and the risk premium zones applicable to the City of Charleston. A FIRM that has been
180 made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

181
182 *Flood Insurance Study (FIS)* means the official report in which the Federal
183 Emergency Management Agency has provided flood profiles, floodway information, and
184 water surface elevations.

185
186 *Floodplain* means a relatively flat or low land area adjoining a river, stream, or
187 watercourse which is subject to partial or complete inundation. An area subject to the
188 unusual and rapid accumulation or runoff of surface waters from any source.

189
190 *Floodplain Administrator* means the person charged with enforcing the provisions of
191 this ordinance. The Floodplain Administrator may also be identified as the Floodplain
192 Manager. Pursuant to W.Va. Code §15-5-20(a) the Floodplain Administrator is required
193 to complete six hours of training in floodplain management annually to maintain good
194 standing with the West Virginia Division of Emergency Management.

195
196 *Floodway* means the channel of a river or other watercourse and the adjacent land
197 area that must be reserved to discharge the base flood without increasing the water
198 surface elevation of that flood more than one foot at any point.

199
200 *Flood proofing (NON-RESIDENTIAL ONLY)* means any combination of structural
201 and non-structural additions, changes or adjustments to structures which reduce or
202 eliminate flood damage to real property or improved real property, water and sanitary
203 facilities, structures, and its contents.

204
205 *Freeboard* means a factor of safety usually expressed in feet above a flood level or
206 BFE for purposes of floodplain management. Freeboard tends to compensate for
207 unknown factors that may contribute uncertainty to flood heights of any given flood and
208 floodway condition, such as wave action, blockage at stream crossings, and increased
209 runoff from urbanization of the watershed.

210
211 *Highest Adjacent Grade (HAG)* means the highest natural elevation of the ground
212 surface immediately adjacent to the development or structure foundation. This is
213 primarily used for purposes of insurance rating in approximated floodplains.

214
215 *Historic structure* means any structure that is:

- 216
217 (1) Listed individually in the National Register of Historic Places (a listing
218 maintained by the Department of Interior) or preliminarily determined by the

Secretary of the Interior as meeting the requirements for individual listing in the National Register;

(2) Certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or,

(4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

a. By an approved state program as determined by the Secretary of the Interior; or,

b. Directly by the Secretary of Interior in states without approved programs.

Interested person or party includes (1) the applicant; (2) the owner(s) of the subject property; (3) at least one adult residing in any residence on the subject property at the time the Floodplain Permit Application is filed; (4) owners of any adjacent property; and (5) at least one adult residing in any residence on the adjacent property at the time the Floodplain Permit Application is filed.

Licensed manufactured home dealer means a business licensed to sell manufactured homes in the State of West Virginia as set forth in the West Virginia Code.

Licensed manufactured home installer means a contractor licensed to install manufactured homes in the State of West Virginia as set forth in the West Virginia Code.

Licensed professional surveyor means any person licensed by the West Virginia State Board of Examiners of Land Surveyors to engage in the practice of land surveying as defined in the West Virginia Code.

Lowest Adjacent Grade (LAG) means the lowest natural elevation of the ground surface immediately adjacent to the proposed development or structure foundation. The primary use of the LAG is to determine whether the structure is located within a special flood hazard area by comparing it to the base flood elevation.

Lowest floor means the lowest floor of the lowest enclosed area (including basement). An unfinished enclosure constructed with flood resistant materials as defined in FEMA Technical Bulletin 2-93 (FIA-TB-2) and usable solely for parking of

vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; Provided, that such enclosure has proper flood openings and is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance.

Manufactured home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

New construction means structures for which the start of construction as herein defined commenced on or after June 15, 1983, and including any subsequent improvements to such structures.

One-Hundred (100) Year Flood means a flood that has one chance in one-hundred or a one percent or greater chance of being equaled or exceeded in any given year. (See Base Flood Elevation also)

Person means any individual or group of individuals, corporation, limited liability corporation, partnership, association, or other entity, including State and Local governments and agencies.

Practice of engineering means any service or creative work, as described in West Virginia Code §30-13-1 et seq., the adequate performance of which requires engineering education, training and experience in the application of special knowledge of the mathematical, physical, and engineering sciences to such services or creative work as consultation, investigation, evaluation, planning and design of engineering works and systems; planning the use of land and water; teaching of advanced engineering subjects, engineering surveys and studies; and the review of construction for the purpose of assuring compliance with drawings and specifications any of which embraces such services or work, either public or private, in connection with any utilities, structures, buildings, machines, equipment, processes, work systems, projects and industrial or consumer products or equipment of a mechanical, electrical, hydraulic, pneumatic or thermal nature, insofar as they involve safeguarding life, health or property, and including such other professional services as may be necessary to the planning, progress and completion of any engineering services. Engineering surveys include all survey activities required to support the sound conception, planning, design, construction, maintenance, and operation of engineered projects.

Any person who practices any branch of the profession of engineering or who, by verbal claim, sign, advertisement, letterhead, card or in any other way represents himself to be a Registered Professional Engineer, or by using another title implies that he is a Registered Professional Engineer or that he is registered under West Virginia Code, §30-13-1 et seq. or who holds himself out as able to perform, or who performs any engineering service or work or any other service designated by the practitioner which is recognized as engineering, is considered to practice or offer to practice engineering

within the meaning and intent of West Virginia Code §30-13-1 et seq.

Principally above ground means where at least 51 percent of the Actual Cash Value of a structure, less land value, is above ground. [44 Code of Federal Regulations §59.1]

Professional means any “professional” including but not limited to a “contractor”, “developer”, “engineer”, “architect”, “hydrologist”, “land surveyor”, etc., acting in any capacity with respect to this Ordinance, must be licensed by the State of West Virginia, when certification or licensure from the State of West Virginia is so required.

Reasonably safe from flooding means that during the base flood, or any other known flooding by the Floodplain Administrator, water should not damage structures and any subsurface waters related to the base flood and should not damage existing or proposed structures. Ways of determining Reasonably Safe from Flooding may be 3 feet above Highest Adjacent Grade, above high water marks from historic flooding, using topographic extrapolation from contour lines or utilizing the advisory flood height data on the WV Flood Tool.

Recreational Vehicle means a vehicle which is:

- (1) built on a single chassis;
- (2) 400 square feet or less when measured at the largest horizontal projection;
- (3) Designated to be self-propelled or permanently towable by a light duty truck; and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Registered professional engineer means a person who has been duly registered or licensed as a registered professional engineer by the West Virginia State Board of Registration for Professional Engineers as required by W.Va. Code §30-13-13 et seq.

Remedy a violation means to bring a structure or other development into compliance with the requirements of this Ordinance, or if full compliance is not possible, to reduce the adverse impact of the non-compliance to the greatest extent feasible.

Special Flood Hazard Area (SFHA) means the land in the Floodplain Area subject to a one percent or greater chance of flooding in any given year. Special flood hazard areas are designated by the Federal Emergency Management Agency in Flood Insurance Studies and on Flood Insurance Rate Maps as Zones A, AE, AO, A1-30, and A99. The term includes areas shown on other flood hazard maps that are specifically listed or otherwise described in this Ordinance.

357 *Start of construction* means the date the Floodplain Permit was issued, including
358 Floodplain Permit for substantial improvement or repair of substantial damage provided
359 the actual start of construction, repair, reconstruction, rehabilitation, addition,
360 placement, or other improvement was within 180 days of the Floodplain Permit date.
361 The actual start means either the first placement of permanent construction on a site,
362 such as the pouring of slabs or footings, the installation of piles, the construction of
363 columns, or any work beyond initial excavation, or the placement of a manufactured
364 home on a foundation. Although a Floodplain Permit must be obtained prior to
365 beginning, permanent construction does not include land preparation, such as clearing,
366 grading and filling, nor does it include the installation of streets and/or walkways, nor
367 does it include excavation for a basement, footings, piers or foundations or the erection
368 of temporary forms, nor does it include the installation on the property of accessory
369 buildings, such as garages or sheds not occupied as dwelling units or not part of the
370 main structure. For an alteration, the actual start of construction means the first
371 alteration of any wall, ceiling, floor, or other structural part of a building, whether or not
372 that alteration affects the external dimensions of the building.

373
374 *State Coordinating Office* means the West Virginia Division of Homeland Security
375 and Emergency Management.

376
377 *Stream* means as defined in West Virginia Code §7-1-3u, any watercourse, whether
378 natural or man-made, distinguishable by banks and a bed, regardless of its size,
379 through which water flows continually or intermittently, regardless of its volume.

380
381 *Structure* means a walled and roofed building, including a gas or liquid storage tank
382 that is principally above ground, as well as a manufactured home.

383
384 *Subdivision means* development that includes a creation of individual land parcels
385 for future sale. It does not include development where rights-of-way or easements are
386 obtained and recorded.

387
388 *Subject property* includes the surface tract(s) upon which the proposed
389 development is planned and for which the Floodplain Permit Application is submitted.

390
391 *Substantial damage* means damage of any origin sustained by a structure whereby
392 the cost of restoring the structure to its before damage condition would equal or exceed
393 50 percent of the fair market value of the structure before the damage occurred.

394
395 *Substantial improvement* means any repair, reconstruction, rehabilitation, addition,
396 or other improvement of a structure, the cost of which equals or exceeds 50 percent of
397 the fair market value of the structure before the start of construction of the improvement.

398
399 This term includes structures, which have incurred “substantial damage”, as defined
400 herein regardless of the actual repair work performed. The term does not, however,
401 include any project for improvement of a structure to correct existing violation(s) of State
402 or Local Health, Sanitary or Safety Code Specifications which have been identified by

the Local Code Enforcement Official and which are the minimum necessary to assure safe living conditions.

Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined above, must comply with all Ordinance requirements that do not preclude the structure's continued designation as a historic structure.

Documentation that a specific Ordinance requirement will cause removal of the structure from the National Register of Historic Places, or the State Inventory of Historic Places must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from Ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.

Improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences whether or not the alteration affects the external dimensions of the structure.

Top of bank means the lines depicted on the FIRM maps delineating each side of a stream indicate the top of the bank. In the field a professional familiar with fluvial geomorphology should document the top of the bank. When a professional is not employed, the top of the bank will be considered to be the top of the first significant slope landward of the water's edge when it is followed by at least 50 feet of relatively flat land.

Variance means a grant of relief by a community from the terms of a floodplain management regulation.

Violation means the failure of any structure or development to be fully compliant with all requirements of this Ordinance. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required by this Ordinance is presumed to be in violation until such time as the documentation is provided. No future improvements or developments can be made to structures found to be in violation unless the development is to bring the structure into compliance with the current ordinance.

DIVISION 3. – ESTABLISHMENT OF THE SPECIAL FLOOD HAZARD AREA

Sec. 91-31 Identification.

- (a) The identified special flood hazard area shall be those areas of the City of Charleston which are subject to a one percent or greater chance of flooding in any given year as shown on the Flood Insurance Rate Map (FIRM) and described in the Flood Insurance Study (FIS) prepared for the City of Charleston by the Federal Emergency Management Agency (FEMA) dated August 1, 2023 or the most recent revision thereof including all digital data developed as part of the FIS.

- (b) The identified special flood hazard area shall also be those special flood hazard areas which have been identified as flood hazard areas by the City of Charleston by use of historic or other technical data and shown on an officially recognized “FIRM or the West Virginia Flood Hazard Determination Tool Specifically Advisory Flood Height data”. These areas shall be designated as appropriate with the level of technical data described below and shall be managed accordingly.

Sec. 91-32 Descriptions of Special Flood Hazard Areas.

The identified special flood hazard area shall consist of the following four specific areas:

- (a) The Floodway Area shall be those areas of AE zone identified as Floodways in the FIS and as shown on the FIRM. The term shall also include any floodway areas delineated by developers in the approximated floodplain and designated as such by the community.
- (b) The AE Area Without Floodway shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA for which 100-year flood elevations have been provided but no Floodway has been delineated.
- (c) The Approximated floodplain shall be those areas identified as an A Zone on the FIRM included in the FIS prepared by FEMA and for which no one hundred (100) year flood elevations have been provided.
- (d) Advisory Flood Heights
This information is displayed on the WV Flood Hazard Determination Tool. This data may be used (when available) by the Floodplain Administrator to determine if a property is in the Special Flood Hazard Area, and to assist in determining the height in which to elevate the structure as a permitting tool and is acceptable data to FEMA for a Letter of Map Amendment (LOMA).

The AO and AH floodplain those areas identified as Zones AO and AH on the FIRM and in the FIS. These areas are subject to inundation by 1-percent-annual-chance shallow flooding where average depths are between one and three feet. In Zones AO and AH, drainage paths shall be established to guide floodwaters around and away from structures on slopes.

Sec. 91-33 Changes in Designation of Area.

- (a) Where natural or man-made changes have occurred and/or where more detailed studies have been completed by a qualified government agency, private entity, or qualified individual who can sufficiently document the necessity for such changes; the process to revise the delineation of the identified special flood hazard area may be recommended by the Floodplain Administrator and executed by the City of

Charleston. However, prior to any such change, approval must be obtained from the Federal Emergency Management Agency.

- (b) Base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practical but, not later than six months from the date such information becomes available, the City shall notify FEMA of the changes by submitting technical or scientific data.
- (c) The City of Charleston may identify and regulate new flood hazard or ponding areas. These areas shall be delineated on a "Local Flood Hazard Map" using best available topographic data and locally derived information such as flood of record, historic high-water marks and/or approximate study methodologies.

Sec. 91-34 Elevations Prevail.

- (a) If the lowest natural grade adjacent to proposed development is *above* the Base Flood Elevation, and the following is provided to the Floodplain Administrator:
 - (1) elevation information certified by a Licensed Professional Surveyor or Engineer and a site plan demonstrating that all proposed development will occur above the Base Flood Elevation or,
 - (2) a Letter of Map Amendment (LOMA) from FEMA removing the site from the SHFA then the site shall be considered to be outside the Floodplain Area and shall not be required to conform to the provisions of this Ordinance at the discretion of the Floodplain Administrator.
- (b) If the lowest natural grade adjacent to proposed development is *below* the Base Flood Elevation, the site shall be considered to be within the Floodplain Area and the proposed structure shall be required to conform to all appropriate provisions of this Ordinance.

Sec. 91-35 Boundary Disputes.

Should a dispute concerning any Floodplain boundary arise, an initial determination shall be made by the Floodplain Administrator and any party aggrieved by this decision may appeal to the Board of Zoning Appeals sitting as the "Floodplain Appeals Board". The burden of proof shall be on the appellant/applicant.

DIVISION 4. – UTILIZATION OF THE SPECIAL FLOOD HAZARD AREA

Sec. 91-41 Floodway.

Within any Floodway Area (F1), no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with

standard engineering practice that the proposed encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge. The resultant engineering study shall include a cover letter, signed, and sealed by the responsible professional, providing a statement of findings in basic terms. In addition, studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the Floodplain Administrator.

Because Floodways present increased risk to human life and property due to their relatively faster and deeper flowing waters the Floodways shall be preserved to the greatest extent possible.

- (a) New development shall not be permitted in the Floodway where reasonable alternatives exist elsewhere as determined by Floodplain Administrator. In addition to the requirements below the applicant shall demonstrate that there are no reasonable alternatives other than the Floodway encroachment before a permit is issued.
- (b) When the Floodway is the only reasonable alternative the applicant shall demonstrate that the Floodway encroachment is the minimum necessary to accomplish the project.
- (c) All permitted uses, activities, and development shall be undertaken in strict compliance with the flood proofing and related provisions contained herein, and in all other applicable Federal and State Law, Ordinances and Regulations.
- (d) When small, single lot development (not incorporating significant amounts of fill) is proposed in a special flood hazard areas for which no regulatory floodway has been designated, a regulatory floodway may, at the discretion of the Floodplain Administrator, be determined to be a width equal to the channel of the stream and the adjacent land areas to a distance of one-half the width of the special flood hazard area as measured from the top of the bank nearest the site to the upland limit of the 1% annual chance special flood hazard area boundary.

Sec. 91-42 AE Zone Without Floodway Area.

Within any AE Zone Without Floodway Area, no new construction or development shall be allowed unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the elevation of the 100-year flood more than one (1) foot at any point.

Sec. 91-43 Approximated Floodplain (Zone A).

Within any Approximated Floodplain Area:

- 583 (a) The Floodplain Administrator shall use elevation and floodway information from
584 Federal, State, or other acceptable sources when available to determine the
585 elevation above which development will be reasonably safe from flooding.
586
- 587 (b) When data from an acceptable source is not available, the Floodplain Administrator
588 shall review, or shall cause to be reviewed; all proposed development to determine
589 (1) the amount being invested and (2) the specific flood risk at the site. The
590 Floodplain Administrator shall then require the applicant to determine the elevation
591 above which the development and adjacent properties including but not limited to
592 existing buildings will be reasonably safe from flooding using hydrologic and
593 hydraulic analyses or other techniques. When hydrologic and hydraulic analyses
594 are required, they shall only be prepared by a registered professional engineer who
595 shall certify that the methods used correctly reflect currently accepted technical
596 concepts. The resulting study shall include a cover letter, signed by the responsible
597 professional, providing a statement of findings in basic terms. In addition, studies,
598 analyses, computations, etc. shall be submitted in sufficient detail to allow a
599 thorough technical review by the Floodplain Administrator.
600
- 601 (c) Any development and/or use of land shall be permitted provided that all such uses,
602 activities and/or development shall be undertaken in strict compliance with this
603 floodplain ordinance and related provisions contained herein and in all other
604 applicable Federal and State Laws, Ordinances and Regulations.
605
- 606 (d) Within any approximated Floodplain Zone (Zone A) without Floodway Area, no new
607 construction or development shall be allowed unless it is demonstrated that the
608 cumulative impact of the proposed development, when combined with all other
609 existing and anticipated development, will not increase the elevation of the 100-
610 year flood more than one (1) foot at any point.
611
- 612 (e) When Advisory Flood Height Data is available, this data will be utilized to assist in
613 permitting and regulating development within the Special Flood Hazard Area.
614

615 **Sec. 91-44 Alteration or relocation of a stream.**
616

- 617 (a) Whenever a developer intends to alter or relocate a stream within the special flood
618 hazard area the developer shall notify in writing, by certified mail, the City of
619 Charleston's Floodplain Administrator, the State Coordinating Office, any adjacent
620 communities, and any adjacent property owners of all such intended activities prior
621 to the alteration or relocation of the stream. Copies of all required notifications must
622 be submitted to the Federal Emergency Management Agency. In addition, prior to
623 issuing the local permit the Floodplain Administrator shall require copies of all
624 necessary permits from those governmental agencies from which Federal or State
625 Law requires approval.
626
- 627 (b) The developer shall also assure the City of Charleston in writing that the flood
628 carrying capacity within the altered or relocated portion of the stream will be

maintained. The Floodplain Administrator may require the applicant to demonstrate that the altered or relocated portion of stream will provide equal or greater conveyance than the original stream segment. If hydrologic and hydraulic analyses are required, they shall only be undertaken by a registered professional engineer, who shall certify that the methods used correctly reflect currently accepted technical concepts. The resulting study shall include a cover letter, signed by the responsible professional, providing a statement of findings in basic terms. In addition, studies, analyses, and computations shall be submitted in sufficient detail to allow a thorough technical review by the Floodplain Administrator.

- (c) Alteration of a stream includes placement of temporary or permanent culverts, bridges, or other stream crossings. The Floodplain Administrator may require the use of certain "best practice" techniques in the construction of bridges, culverts, or stream crossings to prevent damage, loss of stream crossings and localized flooding caused by blockage. These techniques may include, but are not limited to, wing walls, trash grates or requiring openings to be of sufficient size to pass debris and/or anticipated future increases in flood heights.
- (d) All new and replacement bridges, culverts and other stream crossings shall adhere to the relevant anchoring requirements contained in this Ordinance.
- (e) The developer is required to provide the City a legal agreement detailing all scheduled inspections and maintenance to be performed on altered or relocated watercourses including culverts, bridges, and other stream crossings. It shall be the responsibility of the applicant to transfer the agreement to the purchaser when the land associated with the watercourse alteration is transferred. A copy of all new agreements shall be provided to the Floodplain Administrator. Failure to transfer the agreement and provide a signed copy to the Floodplain Administrator shall subject the violator to the penalties set forth in Section 91-84 of this Ordinance.
- (f) When any watercourse alteration has occurred, the applicant must submit any maps, computations or other material required by the Federal Emergency Management Agency (FEMA) to revise the Flood Insurance Study (FIS) and/or Flood Insurance Rate Maps (FIRM), when notified by the Floodplain Administrator, and must pay any fees or other costs assessed by FEMA for this purpose.

DIVISION 5. – CRITERIA FOR BUILDING AND SITE PLAN APPROVAL

Sec. 91-51 General.

A Permit is required to determine whether all new construction or substantial improvements are:

- (a) Located in an identified Floodplain, Floodway, or other special flood hazard area.

- (b) Designated (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- (c) Constructed with material and utility equipment resistant to flood damage as outlined in FEMA Technical Bulletin 2-93 (FIA-TB-2) or the most recent revision thereof.
- (d) Constructed by methods and practices that minimize flood damage.
- (e) Constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located to prevent water from entering or accumulating within the components during flooding.
- (f) To comply with West Virginia Code §11-3-3a concerning County Assessor "Building or Real Property Improvement Notice".
- (g) Approved by County Health Department for Well, Septic, and other permits to assure facilities are designed and located in compliance with the flood damage reduction requirements of this Ordinance.

Sec. 91-52 Basic Format.

The basic format of the permit shall include the following:

- (a) Name and address of applicant.
- (b) Name and address of owner of land on which proposed development is to occur.
- (c) Applicant shall provide names, addresses, and valid West Virginia license numbers of all contractors working at the building site, or affidavits stating that work is being performed by individuals exempt from contractor licensing as set forth in Title 28, Series 2, section 3.9(b) of the West Virginia Code of State Regulations or the most recent revision thereof, if known at the time the Permit Application is submitted. If not known, applicant shall provide the information within 14 days of execution of a contract with its contractor(s) prior to beginning construction.
- (d) A description of site location sufficient to locate the proposed development including district, tax map and parcel numbers and most recent deed book and page number.
- (e) A standard site plan showing size and location of the proposed development as well as any existing buildings or structures. The site plan shall also show all adjacent roads and watercourses with direction of flow, the lowest adjacent grade to the proposed foundation and/or toe of fill, the Base Flood Elevation, and the location of the Floodway boundary when applicable.

- 720
- 721 (f) An acknowledgement that the applicant agrees to pay any and all fees associated
- 722 with the permitting process as set forth in Division 7, Sections 91-73 and 91-79 of
- 723 this Ordinance.
- 724
- 725 (g) An acknowledgment that the applicant agrees to allow The Floodplain Administrator
- 726 and authorized representatives of floodplain management programs access to the
- 727 development to inspect for compliance.
- 728

729 **Sec. 91-53 Elevation and Flood Proofing Information.**

730

731 All applicants are encouraged to exceed the minimum elevation requirements

732 contained herein. Flood insurance rates can be lowered significantly by increasing the

733 elevation of the lowest floor above the freeboard height required by this Ordinance.

734

735 Depending on the type of structure involved, the following information shall also be

736 included in the application for work within the Special flood hazard area:

737

- 738 (a) All structures, ductwork and electrical connections shall be elevated two feet above
- 739 the Base Flood Elevation and:
- 740
- 741 (1) A plan showing the size of the proposed structure and its relation to the lot
- 742 where it is to be constructed.
- 743
- 744 (2) A determination of elevations of the Base Flood, existing ground, proposed
- 745 finished ground and lowest floor, certified by a registered professional engineer
- 746 or licensed professional surveyor.
- 747
- 748 (3) Plans showing the methods of elevating the proposed structure including
- 749 details of proposed fills, pile structures, retaining walls, foundations, erosion
- 750 protection measures, etc. When required by the Floodplain Administrator, a
- 751 registered professional engineer or architect shall prepare the plans.
- 752
- 753 (4) Plans showing the methods used to protect utilities (including sewer, water,
- 754 telephone, electric, gas, etc.) from flooding to two feet above the Base Flood
- 755 Elevation at the building site.
- 756
- 757 (5) During construction, as soon as the basic elements of the lowest floor are in
- 758 place and before further vertical construction, it is highly recommended that the
- 759 applicant check for error by obtaining elevation data completed by a registered
- 760 professional engineer or licensed professional surveyor certifying the height of
- 761 the lowest floor. If a mistake in elevation has been made this is the best time to
- 762 correct the error.
- 763
- 764 (6) A finished construction elevation certificate must be prepared by a licensed
- 765 professional surveyor or others of demonstrated qualification. The elevation

certificate must confirm the structure in question together with attendant utilities are elevated in compliance with permit conditions.

- (7) A Non-Conversion Agreement shall be signed by the applicant whenever the Floodplain Administrator determines that the area below the first floor could be converted to a non-conforming use (generally applies to enclosed areas below base flood elevation that are 5 ft. high or more). This agreement shall state:
- a. The area below Base Flood Elevation shall not be converted for use other than for parking, building access or for allowable storage as detailed in this Ordinance.
 - b. The applicant agrees to notify prospective purchasers of the existence of the Non-Conversion Agreement. It shall be the responsibility of the applicant to transfer the agreement at closing to the purchaser through notarized signature, a copy of all new Non-Conversion Agreements shall be provided to the Floodplain Administrator. Failure to transfer the Non-Conversion Agreement and provide a signed copy to the Floodplain Administrator shall subject the violator to the penalties set forth in Section 91-84 of this Ordinance.

- (b) All structures shall be flood proofed to two feet above the Base Flood Elevation (nonresidential structures only):

All applicants shall meet or exceed the minimum flood proofing requirements contained herein. Flood insurance rates can be lowered significantly by increasing the level of flood proofing above the height required by this Ordinance. To obtain an "elevation credited" flood insurance rate on dry flood proofed buildings, flood proofing must extend at least one foot above the Base Flood Elevation.

- (1) Plans showing details of all flood proofing measures, prepared by a registered professional engineer, showing the size of the proposed structure and its relation to the lot where it is to be constructed.
- (2) A determination of elevations of the Base Flood, existing ground, proposed finished ground, lowest floor, and flood proofing limits, certified by a registered professional engineer or licensed professional surveyor.
- (3) A Flood Proofing Certificate, FEMA 81-65, as revised by FEMA, shall be prepared by the registered professional engineer who prepared the plans in (1) above, stating the structure in question, together with attendant utility and sanitary facilities are designed so that:
 - a. The structure is watertight with walls substantially impermeable to the passage of water from the lowest structural element to two feet above the Base Flood Elevation.

- 812
- 813 b. The structure will withstand the hydrostatic, hydrodynamic, buoyant,
- 814 impact, and other forces resulting from the flood depths, velocities,
- 815 pressures, and other factors associated with the Base Flood.
- 816
- 817 (c) For Appurtenant structures constructed of flood resistant materials – used solely for
- 818 parking of vehicles, or limited storage (Appurtenant Structures only)
- 819
- 820 (1) A site plan prepared by a licensed professional surveyor or others of
- 821 demonstrated qualifications showing elevation of existing ground, proposed
- 822 finished ground and lowest floor. The plan shall also show details of proposed
- 823 flood resistant materials usage and the size of the proposed structure and its
- 824 relation to the lot where it is to be constructed. The location of the Floodway
- 825 boundary shall be represented on the plan when a Floodway is present on the
- 826 site.
- 827
- 828 (2) An Elevation Certificate, based on finished construction, must be prepared by a
- 829 licensed professional surveyor or others of demonstrated qualifications. This
- 830 certificate or report must confirm that the structure in question, together with
- 831 attendant utilities is designed so that:
- 832
- 833 a. Flood resistant materials as detailed in FEMA Technical Bulletin 2-93 (FIA-
- 834 TB-2) are used in the construction of the structure from the lowest
- 835 structural element to two feet above the Base Flood Elevation and that all
- 836 utilities are located at least two feet above the Base Flood Elevation.
- 837
- 838 b. Hydrostatic flood forces on exterior walls are equalized by allowing for
- 839 automatic entry and exit of floodwaters. Designs for meeting this
- 840 requirement must either be certified by a registered professional engineer
- 841 or architect or meet or exceed the following minimum criteria:
- 842
- 843 1. A minimum of two openings having a total net area of not less than
- 844 one square inch for every square foot of enclosed area subject to
- 845 flooding shall be provided.
- 846
- 847 2. The bottom of all openings shall be no higher than one foot above
- 848 grade.
- 849
- 850 3. Openings may be equipped with screens, louvers, valves or other
- 851 coverings or devices provided that they permit the automatic entry
- 852 and exit of floodwaters.
- 853
- 854 (3) In addition, the applicant shall sign a Non-Conversion Agreement and notify
- 855 prospective purchasers of the existence of the Non-Conversion Agreement. It
- 856 shall be the responsibility of the applicant to transfer the Non-Conversion
- 857 Agreement to any purchaser at closing through notarized signature. A signed

copy of the transferred Non-Conversion Agreement shall be provided to the Floodplain Administrator. Failure to transfer the Non-Conversion Agreement and provide a signed copy to the Floodplain Administrator shall subject the violator to the penalties set forth in Section 91-84 of this Ordinance.

Sec. 91-54 Site Plan Criteria.

Site plans are required for all development, new construction and substantial improvements determined to be in a special flood hazard area and all proposed subdivisions and manufactured home parks. These proposals shall be reviewed by the Floodplain Administrator to assure that they are consistent with the need to minimize flood damage.

The owner or developer shall submit a preliminary site plan to the Floodplain Administrator that includes the following information:

- (a) Name of registered professional engineer, licensed professional surveyor, or other qualified person responsible for providing the information required in this section.
- (b) A map showing the location of the proposed subdivision and/or development with respect to Floodplain Areas, proposed lot sites, and fill areas.
- (c) Where the subdivision or manufactured home park lie partially or completely in the special flood hazard areas, the plan map shall include detailed information giving the location and elevation of proposed roads, utilities and building sites. All such maps shall also show contours at intervals of two (2) or five (5) feet depending upon the slope of the land and identify accurately the boundaries of the special flood hazard areas. A registered professional engineer or licensed professional surveyor must certify the site plan.
- (d) All subdivision proposals and other proposed new developments which are proposed to take place either fully or partially within the Approximated Floodplain Area (F4) and which are greater than ten (10) lots or two (2) acres, whichever is the lesser, shall include Base Flood Elevation data and shall delineate the Floodway.
 - (1) When a Flood Insurance Study (FIS) is available from FEMA, the data contained in that study must be used to substantiate the Base Flood Elevation.
 - (2) If a FEMA Flood Insurance Study is not available the required data may be available from an authoritative source, such as the U.S. Army Corps of Engineers, U.S. Geological Survey, Natural Resource Conservation Service or State and Local Water Resource Department.
 - (3) If the required data is not available from other sources the applicant shall develop the technical data using detailed methodologies comparable to those contained in a Flood Insurance Study. This data shall be prepared and certified

by a registered professional engineer, who shall certify that the methods used correctly reflect currently accepted technical concepts.

Where the subdivision or other development site lies partially in the special flood hazard area and all proposed development including fill will take place on natural grade a significant vertical distance above the Approximated Floodplain Area (Zone A) boundary depicted on the map, development of detailed Base Flood Elevation data may not be necessary. In these cases, the site plan for the proposed development must show contours at intervals of two (2) or five (5) feet depending on the slope, and clearly delineate the area to be developed and the location of the special flood hazard boundary as scaled from the FEMA map. A registered professional engineer, licensed professional surveyor, or others of demonstrated qualifications must certify the site plan.

Sec. 91-55 – Restrictions to Subdivision of land in special flood hazard areas.

Subdivision of land in the special flood hazard area shall result in lots that include a buildable portion outside of the special flood hazard area and be served by streets within the proposed subdivision having surfaces at or above the base flood elevation of the line defining the special flood hazard area limits. All new structures shall be sited on the portion of the subdivided lot that is located outside of the special flood hazard area.

DIVISION 6. – SPECIFIC REQUIREMENTS

Sec. 91-61 Design and Construction Standards.

To prevent excessive damage to buildings, structures, and related utilities and facilities, the following restrictions apply to all development, subdivision proposals, manufactured home parks, new construction and to construction of substantial improvements, and the repair of substantial damage, to existing structures occurring in the Special flood hazard area.

(a) Basements and Lowest Floors

- (1) Residential Structures – All new construction, relocation, substantial improvements, including repair of substantial damage, of residential structures must have the lowest floor, including basement, ductwork, and utilities, elevated to two feet above the Base Flood Elevation.
- (2) Non-residential Structures – All new construction, relocation, substantial improvements, including repair of substantial damage, of non-residential structures must have the lowest floor, including basement, ductwork and utilities, elevated to two feet above the Base Flood Elevation; or, together with attendant utility and sanitary facilities, be designed so that the structure is water tight with walls substantially impermeable to the passage of water from the lowest structural element to two feet above the Base Flood Elevation.

(3) Openings – For all new construction, relocation, substantial improvements, and repair of substantial damage, those fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the following minimum criteria:

- a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding, shall be provided;
- b. The bottom of all openings shall be no higher than one foot above grade;
- c. Openings may be equipped with screens, louvers, valves, or other coverings or devices if they permit the automatic entry and exit of floodwaters.

(4) A Non-Conversion Agreement shall be signed by the applicant on all flood-proofed structures and any elevated structures when the Floodplain Administrator determines that the area below the first floor could be converted to a non-conforming use (generally applies to the enclosed areas below base flood elevation that are 5 ft. high or more). This agreement shall state:

- a. The area below the Base Flood Elevation shall not be converted for use other than for parking, building access or for allowable storage as detailed in this Ordinance;
- b. The applicant agrees to notify prospective purchasers of the existence of the Non-Conversion Agreement. It shall be the responsibility of the applicant to transfer the Non-Conversion Agreement at closing to the purchaser through notarized signature. A copy of a Non-Conversion Agreement shall be provided to the Floodplain Administrator. Failure to transfer the Non-Conversion Agreement and provide a signed copy to the Floodplain Administrator shall subject the violator to the penalties set forth in Section 91-84 of this Ordinance.

(b) Manufactured Home Placement

Certain unique characteristics of manufactured homes installed in special flood hazard areas pose an elevated risk of substantial damage to property. Therefore, it is required that:

All manufactured homes to be installed within the special flood hazard areas of the City of Charleston shall be installed by a contractor possessing a valid West

Virginia Manufactured Home Installer's License. The installer shall use an installation design engineered to withstand flood hazards specific to the particular home site. Manufactured homes to be installed or substantially improved within the special flood hazard areas shall be installed in accordance with the following standards:

- (1) The lowest floor, ductwork and utilities including HVAC/heat pump shall be elevated two feet above the Base Flood Elevation.
- (2) Elevation shall be on reinforced piers on a permanent foundation or other foundation elements of at least equivalent strength engineered for use in a flood hazard area. Installation designs incorporating dry stacked block piers shall not be used in special flood hazard areas.
- (3) All manufactured homes shall be securely anchored to an adequately anchored foundation system in accordance with the Code of Federal Regulations, Title 44 Chapter (1) Subpart (B) Section 60.3(b)(8). All manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.
- (4) Permanently attached rigid skirts and perimeter wall skirts of brick or block must have openings to prevent collapse and damage to supporting piers. The openings must be designed to automatically equalize hydrostatic flood forces by allowing for entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the following minimum criteria:
 - a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
 - b. The bottom of all openings shall be no higher than one foot above grade.
- (5) Openings may be equipped with screens, louvers, valves, or other coverings or devices if they permit the automatic entry and exit of floodwaters.
- (6) Any additions to a manufactured home shall be similarly anchored and vented.
- (7) Flexible Skirting and rigid skirting not attached to frame or foundation of a manufactured home are not required to have openings.

- (8) The licensed West Virginia manufactured home installer installing the unit shall perform a site inspection and certify in writing that the manufactured home has been installed to the standards set forth in this Ordinance.

(c) Appurtenant Structures

- (1) When possible, appurtenant structures shall be located out of the special flood hazard area.

- (2) Where appurtenant structures not connected to the principal structure are to be located on sites below the Base Flood Elevation, the following flood damage reduction provisions apply:

a. Use of the structure shall be restricted to parking or limited storage.

1. Structures shall be no more than 600 square feet in size and valued at less than \$10,000 (Ten thousand dollars).
2. Floors shall be at or above grade on at least one side.
3. Structures shall be located, oriented, and constructed to minimize flood damage.
4. Structures shall be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
5. Flood resistant materials as detailed in FEMA Technical Bulletin 2-93 (FIA-TB-2) shall be used in the construction of the structure from the lowest structural element to two feet above the Base Flood Elevation.
6. Machinery, electric devices or appliances, and all utilities shall be located at least two feet above the Base Flood Elevation.
7. Opening requirements:

Hydrostatic flood forces on exterior walls are equalized by allowing for automatic entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

 - (i) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

(ii) The bottom of all openings shall be no higher than one foot above grade.

(iii) Openings may be equipped with screens, louvers, valves or other coverings or devices if they permit the automatic entry and exit of floodwaters.

- b. In addition, a Non-Conversion Agreement shall be signed by the applicant stating that the use of the appurtenant structure or detached or attached garage shall not be changed from the use permitted, acknowledging that the structure may be subject to greater flood risk and that higher flood insurance premiums may be possible, and that a change in use may require full compliance with this Ordinance. The applicant agrees to notify prospective purchasers of the existence of the Non-Conversion Agreement. It shall be the responsibility of the applicant to transfer the Non-Conversion Agreement at closing to the purchaser through notarized signature. A copy of the Non-Conversion Agreement shall be provided to the Floodplain Administrator. Failure to transfer the Non-Conversion Agreement and provide a signed copy to the Floodplain Administrator shall subject the violator to the penalties set forth in Section 91-84 of this Ordinance.

(d) Recreational Vehicle Placement

Recreational vehicles to be placed within any special flood hazard area shall either:

- (1) Be installed in accordance with the manufactured home placement requirements and all other flood reduction requirements contained in this Ordinance; or
- (2) Both:
- i. Be on site for fewer than 180 consecutive days; and
- ii. Be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnected utilities, security devices, and has no permanently attached additions.

(e) Fill

The City of Charleston officially recognizes the beneficial functions the Floodplain Area serves in storage and transportation of water during floods. Placement of fill in the special flood hazard area is discouraged and should be minimized.

1134 Placement of fill in other areas of the special flood hazard area shall be restricted to
1135 functional purposes such as elevating a structure. Fill shall only be permitted in the
1136 same permit with the related structure or other functional purpose. Placement of fill
1137 to dispose of spoil from excavation or to elevate yards, parking lots, or fields will not
1138 generally be considered a functional purpose. The Floodplain Administrator may
1139 require the developer to provide compensatory storage before permitting fill.
1140

1141 No fill shall be permitted in the Floodway unless it has been demonstrated through
1142 hydrologic and hydraulic analyses performed in accordance with currently accepted
1143 technical standards that the proposed fill will not result in any increase in the Base
1144 Flood Elevation.
1145

1146 All fill placed in the special flood hazard area shall meet or exceed the following
1147 standards:
1148

- 1149 (1) Fill shall be used only to the extent to which it does not adversely affect the
1150 subject property and adjacent properties. The Floodplain Administrator may
1151 require the applicant to demonstrate through engineering reports that proposed
1152 fill would not adversely affect the subject property and adjacent properties.
1153 When required, hydrologic and hydraulic analyses shall be undertaken only by
1154 a professional engineer who shall certify that the technical methods used
1155 correctly reflect currently accepted technical concepts. The resulting study
1156 shall include a cover letter, signed, and sealed by the responsible professional,
1157 providing a statement of findings in basic terms. In addition, studies, analyses,
1158 computations, etc., shall be submitted in sufficient detail to allow a thorough
1159 technical review by the Floodplain Administrator. During permit review the
1160 Floodplain Administrator shall consider the following issues that have the
1161 potential to cause adverse impact to the subject property and adjacent
1162 properties:
 - 1163 a. Unacceptable increases in flood heights.
 - 1164 b. Blocking drainage from the subject property and adjacent properties.
 - 1165 c. Deflection of floodwaters onto adjacent existing structures.
 - 1166 d. Increases to stream velocity initiating or exacerbating erosion problems.
 - 1167 e. Other unique site conditions may be considered when determining
1168 whether fill will cause adverse impact to the subject property and adjacent
1169 properties including, but not limited to, subsidence areas, karst
1170 topography, stream blockages, and steep topography adjacent to the
1171 channel.
1172
1173
1174
1175
1176
1177

- (2) Fill shall be used only to the extent to which it does not adversely affect the capacity of channels or floodways of any tributary to the main stream, drainage ditch, or any other drainage facility or system.
- (3) A Fill Site must be contoured to drain properly (avoid ponding) consistent with pre-construction conditions. This provision does not apply to properly constructed impoundments which comply with the remainder of this Ordinance, and which are properly permitted by the West Virginia Department of Environmental Protection.
- (4) Fill shall extend beyond a structure for a sufficient distance to provide acceptable access. For residential structures, fill shall extend laterally fifteen (15) feet beyond the building line from all points before the start of sloping required in subsection 5 below. For non-residential structures, fill shall be placed to provide access acceptable for intended use.
- (5) At grade access, with fill extending laterally fifteen (15) feet beyond the building line shall be provided to a minimum of twenty-five (25) percent of the perimeter of a non-residential structure.
- (6) Fill shall consist of soil or rock material only. Sanitary landfills shall not be permitted; no trash or woody debris shall be buried on site.
- (7) Fill material shall be compacted to provide the necessary stability and resistance to erosion, scouring or settling. Fill compaction standards must be appropriate to proposed post fill use, particular attention is necessary when fill is being used to elevate a structure.
- (8) Fill slopes shall be no steeper than one (1) vertical on two (2) horizontal, unless substantiating data justifying steeper slopes are submitted to and approved by the Floodplain Administrator.
- (9) Fill site and fill must be protected from erosion.
- a. Fill slopes exposed to flood waters with expected velocities during the occurrence of the base flood of five feet per second or less will be protected from erosion by covering them with grass, vines, weeds, or similar vegetative undergrowth.
 - b. Fill slopes exposed to flood waters with expected velocities during the occurrence of the base flood of greater than five feet per second will be protected from erosion by armoring them with stone or rock slope protection.
- (10) All applicants placing fill in a special flood hazard area shall obtain a Conditional Letter of Map Revision (CLOMR-F) from FEMA when directed to

do so by the Floodplain Administrator before a permit can be issued. After fill is finished the applicant shall convert the CLOMR-F to a Letter of Map Revision based on Fill (LOMR-F) before a Certificate of Floodplain Compliance/Occupancy can be issued. The Floodplain Administrator is hereby appointed as the designated official to approve a request for a (CLOMR-F) or (LOMR-F), and shall cooperate with the applicant with respect to any requirements of FEMA for requesting a (CLOMR-F) or (LOMR-F), which includes, but is not necessarily limited to, approving said request and executing Form 1, "Overview & Concurrence Form" or other form as may be required by FEMA.

- (11) The applicant shall submit any maps, computations or other material required by the Federal Emergency Management Agency (FEMA) to revise the Flood Insurance Study (FIS) and/or Flood Insurance Rate Maps (FIRM), when notified by the Floodplain Administrator, and shall pay any fees or other costs assessed by FEMA for this purpose.

(f) Placement of Structures and other development

All structures and other development shall be constructed and placed on the property to offer the minimum obstruction to the flow of water and shall be designed to have a minimum obstruction effect upon the flow and height of floodwater.

- (1) Whenever possible, structures and other development shall be constructed with the longitudinal axis parallel to the direction of flood flow and,
- (2) In so far as practicable, structures and other development shall be placed approximately on the same flood-flow lines as those of adjoining structures or development.

(g) Anchoring

- (1) All structures and other development including stream crossings shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, and lateral movement, thus reducing the threat to life and property and decreasing the possibility of the blockage of bridge openings and other restricted sections of the watercourse.
- (2) All air ducts, large pipes, swimming pools, above ground gas and storage tanks located at or below the Base Flood Elevation shall be firmly anchored to resist flotation or lateral movement.

(h) Flood Protection Setback

- (1) A Flood Protection Setback equal to twice the width of the watercourse channel measuring from the top of one bank to the top of the opposite bank of

50 feet, whichever is less, shall be maintained from the top of the banks of all watercourses. Specifically, as for oil and gas wells and well pads, no well pad may be prepared or well drilled within 100 feet from any perennial stream, natural or artificial lake, pond, reservoir, or wetland. [See W.Va. Code §22-6A-12(b)]. To reduce erosion, natural vegetation shall be maintained in this area. Where natural vegetation does not exist along the watercourse and conditions for replanting are suitable, high priority shall be given to planting vegetation in the setback area to stabilize banks and enhance aquatic resources.

(2) Necessary public works and temporary construction may be exempted from this subsection at the discretion of the Floodplain Administrator.

(3) At the discretion of the Floodplain Administrator the Flood Protection Setback requirement can be waived in whole or part if the applicant demonstrates that it is impossible to allow any development without encroachment into the Flood Protection Setback Area. The conditions shall be the minimum necessary and shall be made only after due consideration is given to varying other siting standards, such as side, front, and back lot line setbacks.

(i) Storage

(1) No materials that are buoyant, flammable, explosive, or in times of flooding could be injurious to human, animal, or plant life, shall be stored below Base Flood Elevation except for mineral storage properly and wholly within the ground in compliance with other State environmental agency(ies) requirements.

(2) Storage of other material or equipment may be allowed if not subject to substantial damage by floods and firmly anchored to prevent flotation or readily removable from the area within the time available after flood warning.

(3) Due to the potential of masking the natural elevation and making it more difficult to enforce this Ordinance, material that resembles "fill" material shall not be considered "storage" material for purposes of this subsection.

(j) Utility and Facility Requirements

(1) All new or replacement water systems whether public or private, shall be designed to minimize or eliminate infiltration of floodwaters into the systems.

(2) All new or replacement sanitary disposal systems, whether public or private, shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters.

(3) All other new or replacement public or private utilities and facilities shall be located and constructed to minimize or eliminate flood damage.

(4) Onsite waste disposal systems shall be located to avoid impairment to the system or contamination from the system during flooding.

(k) Drainage

Adequate drainage shall be provided to reduce exposure to flood hazard areas as well as around structures on slopes within zones AH and AO to guide floodwaters around and away from proposed structures.

(l) Backflow Preventers

Back flow prevention valves should be used for all enclosed structures with sewage or drainage facilities located in the special flood hazard area Floodplain Area.

DIVISION 7. – ADMINISTRATION

Sec. 91-71 Designation of Floodplain Administrator.

The Floodplain Administrator is vested with the responsibility, authority and means to implement the commitments made herein. Upon appointment of a new Floodplain Administrator, the City shall give notice to The State Coordinating Office and FEMA. Within one year of his or her appointment, the new Floodplain Administrator shall attend the State/FEMA sponsored NFIP Class 273 entitled “Managing Floodplain Development” and remain current with State required continuing education annual training per W.Va. Code §15-5-20a. In the absence of a formally appointed Floodplain Administrator, the duties set forth in this Ordinance for the Floodplain Administrator shall be temporarily fulfilled by the Planning Director or his or her designee.

The Floodplain Administrator shall administer and implement this Ordinance by granting or denying floodplain development permits in accordance with its provisions. The Floodplain Administrator shall also be responsible for submitting all required reports to FEMA concerning participation in the National Flood Insurance Program.

Sec. 91-72 Development Permits and Site Plan Approvals Required.

It shall be unlawful for any contractor, person, individual, partnership, estate, trust, association, business, limited liability company, joint venture, or corporation to undertake or cause to be undertaken, any development or the new construction, substantial improvement, repair of substantial damage, the placement or relocation of any structure (including manufactured homes) within the City of Charleston unless a permit application and standard site plan has been completed, and a permit has been obtained from the Floodplain Administrator. In addition, where land that is either partially or fully in the special flood hazard area is to be subdivided, utilized for a manufactured home park or subdivision, or otherwise developed, a detailed site plan must be submitted to, and approved by, the Floodplain Administrator prior to any development.

1362
1363 **Sec. 91-73 Approval of Permits and Plans.**
1364

- 1365 (a) The Floodplain Administrator shall review, or shall cause to be reviewed, all permit
1366 applications and plans within 90 days (from the Permit Application submission date)
1367 to determine whether the proposed development is reasonably safe from flooding.
1368 Further, the Floodplain Administrator shall review all objections, comments, protest
1369 letters and other writings submitted in opposition of said Floodplain Permit
1370 Application and give due consideration to the same before granting or denying said
1371 Permit.
1372
- 1373 (b) All permits and plans shall be approved only after it has been determined that the
1374 proposed work to be undertaken will be in conformance with the requirements of
1375 this Ordinance, State and Federal Laws, Ordinances and Regulations.
1376
- 1377 (c) The City of Charleston shall not issue a permit to any person who does not possess
1378 a valid contractor's license when a contractor's license is required by West Virginia
1379 Code.
1380
- 1381 (d) The City of Charleston, before issuance of the permit, shall require the applicant to
1382 furnish satisfactory proof that such person is duly licensed as a contractor under the
1383 provisions of West Virginia State Code.
1384
- 1385 (e) The Floodplain Administrator shall require and keep on file copies of any
1386 documentation pertaining to the permit from any other governmental agencies.
1387

1388 After the filing of an Application for a Floodplain Permit and receiving a properly
1389 and timely filed objection to the issuance of a Floodplain Permit Application, but prior to
1390 the Floodplain Administrator's decision to grant or deny the same, the Floodplain
1391 Administrator may, in his or her sole discretion, hold a public meeting wherein evidence
1392 can be taken or given by interested persons or parties. Said meeting shall record all
1393 testimony and receive all exhibits and evidence. Said meeting notice shall be mailed by
1394 certified mail return receipt requested to the Permit Applicant and the objecting person
1395 or entity and placed upon the agenda of a regularly scheduled Board of Zoning Appeals
1396 meeting announcing the date, time, and place of said meeting not prior to 10 calendar
1397 days from official announcement. The meeting transcript and exhibits presented shall be
1398 filed in the official Floodplain Application Permit File.
1399

1400 **Sec. 91-74 Application Procedures.**
1401

1402 Application for a permit and/or site plan approvals shall be filed, in writing, in
1403 duplicate, on the forms supplied by the City of Charleston and shall include all
1404 information stipulated under Division 5 of this Ordinance.
1405

1406 **Sec. 91-75 Changes.**
1407

After the issuance of a Floodplain Permit or site plan approval by the Floodplain Administrator or Floodplain Appeals Board, no changes of any kind shall be made to the application, permit, or any of the plans, specification or other documents submitted with the application without the written consent and approval of the Floodplain Administrator.

Sec. 91-76 Permit Placards.

The City of Charleston shall issue a permit placard, which shall be prominently displayed on the subject property during the time development is in progress. This placard shall show the number of the permit and the date of its issuance.

Sec. 91-77 Start of Construction.

Work on the proposed development shall begin within 180 days after the date of issuance of the Floodplain Permit or the Floodplain Permit shall expire unless a time extension request made in writing to the Floodplain Administrator and filed in the official Floodplain Permit Application File by the Floodplain Administrator is granted, in writing, by the Floodplain Administrator after a showing by the applicant of "justifiable delay" not caused by the negligence or lack of due diligence of the applicant. Any extension of the 180 day Start of Construction timeframe shall only be granted if the permit holder can demonstrate compliance with this Floodplain Ordinance, FIRM and/or FIS in effect at the time the extension is granted. All work on the proposed development must be completed within 18 months of permit issuance, at which time the permit shall expire, unless a time extension made in writing to the Floodplain Administrator and filed in the official Floodplain Permit File by the Floodplain Administrator is granted in writing by the Floodplain Administrator. The request for a time extension shall be in writing and shall state the reasons for the extension. When considering an extension, the Floodplain Administrator shall consider the following criteria:

- (a) Has the applicant diligently pursued the completion of the proposed development during the 18 months?
- (b) Will the granting of the extension be detrimental to public safety, health, or welfare or injurious to other property?

Sec. 91-78 Stop Work Orders, Inspections and Revocations.

(a) Stop-Work Orders

- (1) The Floodplain Administrator shall issue, or cause to be issued, a "Stop Work Order Notice" for any development found ongoing without having obtained a Floodplain Permit. Disregard of a Stop Work Order Notice shall subject the violator to the penalties described in Section 91-84 of this Ordinance.
- (2) The Floodplain Administrator shall issue, or cause to be issued, a "Stop Work Order Notice" for any development found non-compliant with the provisions of

1454 this Ordinance and/or the conditions of the Floodplain Permit. Disregard of a
1455 Stop Work Order notice shall subject the violator to the penalties described in
1456 Section 91-84 of this Ordinance.

- 1457
- 1458 (3) If the Floodplain Administrator issues a Stop Work Order Notice, the Floodplain
1459 Permit shall be stayed pending a determination of whether a violation actually
1460 occurred and/or abatement of the alleged violation, whichever occurs first.
- 1461
- 1462 (4) In the event of an Appeal on a Floodplain Permit, the Floodplain Administrator
1463 shall immediately issue a Stop Work Order Notice that shall remain in effect
1464 until a resolution of said Appeal.

1465

1466 (b) Inspections and Revocations

1467

- 1468 (1) During the development period, the Floodplain Administrator or other
1469 authorized City, State or Federal Government Officials may inspect the
1470 premises to determine that the work is progressing in compliance with the
1471 information provided on the Floodplain Permit Application, this Ordinance and
1472 with all applicable Federal, State and City laws, Regulations and Ordinances.
- 1473
- 1474 (2) If the Floodplain Administrator discovers that the work does not comply with
1475 the Floodplain Permit Application, this Ordinance, or that there has been one
1476 or more false statements or misrepresentations by any applicant in the
1477 permitting process, the Floodplain Administrator shall issue a "Stop Work
1478 Order Notice", revoke the permit, and request a temporary injunction in the
1479 Circuit or Magistrate Court of Kanawha County. The Floodplain Administrator
1480 shall notify any appropriate agency or authority if the Floodplain Administrator
1481 finds a violation of any non-Floodplain Law, Regulation or Ordinance.
- 1482
- 1483 (3) The Floodplain Administrator or other authorized City, State or Federal
1484 Government Officials may inspect any development covered by this or
1485 previous Floodplain Ordinances to determine whether any portion of the
1486 development has been altered to be non-compliant with the requirements of
1487 this or other Ordinances.
- 1488

1489 **Sec. 91-79 Certificate of Floodplain Compliance.**

1490

- 1491 (a) In the special flood hazard area it shall be unlawful to occupy, or to permit the
1492 occupancy, of any building or premises, or both, or any part thereof hereafter
1493 created, erected, installed, changed, converted or wholly or partly altered or
1494 enlarged in its use or structure until a Certificate of Floodplain Compliance has
1495 been issued by the Floodplain Administrator stating that the building or land
1496 conforms to the requirements of this Ordinance. Occupying or using a building or
1497 premises in violation of this section shall subject the violator to the penalties
1498 described in Section 91-84 of this Ordinance.
- 1499

- (b) In the special flood hazard area, it shall be unlawful to inspect and approve a permanent utility connection to any building or premises, or both, or any part thereof hereafter created, erected, installed, or rebuilt until the utility inspector is in possession of a copy of the Certificate of Floodplain Compliance issued by the Floodplain Administrator stating that the particular development being inspected conforms to the requirements of this Ordinance. Inspection and approval of utilities in violation of this section shall subject the violator to the penalties described in Section 91-84 of this Ordinance.
- (c) In the special flood hazard area, it shall be unlawful to install a permanent utility connection to any building or premises, or both, or any part thereof hereafter created, erected, installed, or rebuilt until a Certificate of Floodplain Compliance has been issued by the Floodplain Administrator stating that the development conforms to the requirements of this Ordinance. Installation of utilities in violation of this section shall subject the violator to the penalties described in Section 91-84 of this Ordinance.
- (d) A Certificate of Floodplain Compliance shall be issued by the Floodplain Administrator upon satisfactory completion of all development in the special flood hazard.
- (e) Issuance of the Certificate of Floodplain Compliance shall be based upon the inspection conducted as prescribed in this Ordinance and any finished construction elevation certificate, hydraulic data, flood proofing certificate, or encroachment analyses which may have been required as a condition of the Floodplain Permit approval process.

DIVISION 8. – APPEALS AND PENALTIES

Sec. 91-81 Appeals.

Whenever a person or entity is aggrieved by a decision of the Floodplain Administrator with respect to the provisions of this Ordinance, it is the right of that person or entity to appeal to the Board of Zoning Appeals sitting as the Floodplain Appeals Board. Such appeal must be filed with the Floodplain Administrator in writing, within thirty (30) days. Said Appeal shall be served by the aggrieved person by regular mail on all interested parties on the date that said Appeal is filed. Upon receipt of such appeal, the Floodplain Appeals Board shall set a time, date, and place not less than ten (10) nor more than sixty (60) calendar days for the purpose of hearing the appeal. Notice of the time, date and place of the hearing shall be given to all interested parties by placing an announcement of said hearing date, time, and place on the agenda of the next regularly scheduled Board of Zoning Appeals meeting notice and to announce the date, time and place of the appeal hearing not sooner than 10 calendar days from said announcement date, at which time all may appear and be heard. The determination by the Floodplain Appeals Board shall be final in all cases, subject to any Appeal to the Circuit or Magistrate Court of Kanawha County, West Virginia, or any other Court of

competent jurisdiction.

In the event an Appeal is filed wherein a Floodplain Permit grant has been ruled by the Floodplain Administrator, the Floodplain Administrator shall immediately issue a Stop Work Order Notice that shall remain in effect until a resolution of said appeal.

Sec. 91-82 Appeal Review Criteria.

Only appeals contesting the cumulative substantial damage requirement, the flood protection setback requirement, or the freeboard requirements, may be handled at the discretion of the Floodplain Appeals Board.

Sec. 91-83 Variances.

If compliance with any of the requirements of this Ordinance would result in an exceptional hardship to a prospective builder, developer or landowner, the City of Charleston may, upon request, grant relief from the strict application of the requirements.

Considerations for the issuance of Variances to this Ordinance shall adhere to the following criteria:

- (a) A decision granting or denying the variance request shall only be issued by the Floodplain Appeals Board upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the permit would result in exceptional hardship to the applicant, and (iii) a determination that granting the permit will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing laws, regulations or ordinances;
- (b) An affirmative decision granting a variance shall be issued only upon determination that it is the minimum necessary, considering the Special Flood Hazard Area, to afford relief. Financial hardship, used as sole criteria, shall not be considered sufficient justification to grant a variance;
- (c) An affirmative decision granting a Floodplain variance shall be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure; and
- (d) The Floodplain Appeals Board shall notify the applicant in writing and signed by a majority of the Floodplain Appeals Board that (i) the issuance of a decision to allow construction of a structure below the Base Flood Elevation will result in increased premium rates for flood insurance, and (ii) such construction below the Base Flood

Elevation increases risk to life and property. Such notification shall be maintained with a record of all decisions as required in this Ordinance.

The Floodplain Appeals Board shall (i) maintain a record of all decisions including justification for the decisions, and (ii) report such decisions issued in its biannual report to the Federal Emergency Management Agency.

An affirmative decision shall not be granted for issuance of a Floodplain variance for any construction, development use or activity within any Floodway Area that would cause any increase in the Base Flood Elevation.

Sec. 91-84 Penalties.

Any violation of this ordinance shall constitute a zoning violation and is subject to Article 37 of the Zoning Ordinance of the City of Charleston, as amended.

DIVISION 9. – GOVERNMENT ACTIONS

Sec. 91-91 Annexation.

- (a) Upon annexation, the provisions of this ordinance shall immediately go into effect.
- (b) All plats or maps of annexation shall show the Floodplain boundaries, Base Flood Elevation and location of the Floodway where determined.
- (c) In accordance with the Code of Federal Regulations, Title 44 Subpart (B) Section 59.22(a)(9)(v) all Federal Emergency Management Agency participating governments must notify the State Coordinating Office and Federal Insurance Administration in writing whenever the boundaries of the governments have been modified by annexation or the governments has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area. A detailed map showing the boundary change shall accompany the notice.
- (d) NFIP participating governments must notify the State Coordinating Office in writing whenever the boundaries of the governments have been modified by annexation or the government has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area. A copy of a map of the government boundaries suitable for reproduction, clearly delineating the new boundaries or new area for which the government has assumed or relinquished floodplain management regulatory authority must be included with the notification.

Sec. 91-92 Permits for Governmental Entities.

Unless specifically exempted by law, all public utilities and Municipal, County, State and Federal entities are required to comply with this Ordinance and obtain all necessary

permits. Any entity claiming to be exempt from the requirements of this Ordinance must provide a written statement setting forth the rationale for exemption and file the same with FEMA. In addition, the entity claiming exemption shall provide copies of all relevant legal documentation demonstrating the exemption.

DIVISION 10. – SEVERABILITY AND MUNICIPAL LIABILITY

Sec. 91-101 Liability.

The granting of a permit or approval of a subdivision, development plan in an identified Special Flood hazard Area, shall not constitute a representation, guarantee, or warranty of any kind by the City of Charleston or by any official or employee thereof of the practicability or safety of the proposed use, and shall create no liability upon the City of Charleston. This Ordinance does not create a private cause of action. All applicants proposing construction in or near a Floodplain Area are urged to locate construction as far away from, and as high above, all flooding sources as possible.



Municipal Planning Commission
City Service Center – 915 Quarrier Street – Suite 6
Wednesday, April 5, 2023
3:00 P.M.

Members Present

Aric Margolis, Chairman
Quintie Smith (via phone)
Adam Krason
Shawn Taylor
Cory Stout
Lisa Fischer-Casto
Alice Hypes
Shannon Ferrari
Terri Allen, Mayor's Designee

Members Absent

Margo Teeter
Deanna McKinney
Mary Beth Hoover
Terry Pickett
JoEllen Zacks
J.D. Stricklen, Kanawha Co. Rep
Justin Marlow

Staff Present

Dan Vriendt
Chad Webb

In Attendance:

Chuck Garvick
Councilwoman Beth Kerns (Ward 7)

1. Call to Order

2. Unfinished Business - None

3. New Business

Development of Significant Impact: Considering an application for a DSI at 1661 Washington Street West.

Chuck Garvick of 171 West Main Street, St. Clairsville, OH, site engineer for the aforementioned development presented his proposal to the commission. On behalf of Woda Cooper Companies they are proposing to construct a new 32-unit multi-family housing complex at the intersection of West Washington Street and Patrick Street. These would be an all 2-bedroom units so that they would be complete with a community room for its tenants, as well as a fitness and computer room. Amenities would include a playground, picnic area, shed and a dumpster area. There are 64 off-street parking spots proposed.

This building will be very similar to what is being constructed on Stockton Street by the same developer. The 3-story building will face West Washington Street. On the back side, it will be a 4-story building. It's a corridor elevator for its tenants. Each unit will open into a corridor within the building. There is no external access to the apartment units themselves. The parking spaces would be located off of Horns Avenue, the old Charleston Department Store site.

Aric Margolis said that the Mountain Mission property is next to the entrance and asked if that building comes close to the alley. Mr. Garvick said the Mountain Mission property does not come close to the alley. Aric asked Mr. Garvick if there was a vision field issue east on Horns. Mr. Garvick said there was no vision field issue.

Aric asked if there were any questions from the commission. There were no questions from the commission.

Chad presented the staff's review, analysis and recommendation. The staff recommends approval of this Development of Significant Impact. The necessity of the DSI arises when residential unit is be constructed more than 20 but let than 49 dwelling units. As previously stated, this development is going to include 32 2-bedroom units, 64 parking spaces and a total area of 1.437 acres. The property is being developed in a corridor village district. Overview of the submitted plans, in consideration of the zoning designation and the City Comprehensive Plan, indicates that this development is in the parameters of both the zoning designation and the City Comprehensive Plan.

The corridor village district's description and purpose show a focus on flexibility and redevelopment. With the closing of the Charleston Department having such a quick turnaround in the terms of redevelopment and increasing housing stock, conforms with that flexibility and desire for redevelopment. Based on the comprehensive map, it exists at the junction of a retail node and mixed-use district.

The staff is making this recommendation for approval, pending approval from City Engineering and other relevant City departments. As previously mentioned, according to the plans submitted, setbacks, parking and landscaping are in compliance with considerable work on stormwater removal.

Aric asked what the standard of review was for Development of Significant Impact. Dan Vriendt responded that the use of the property is permitted use. It could be described as a puzzle where you are reviewing how the pieces of the puzzle are put together. You cannot deny the puzzle, but you can rearrange the pieces. Aric said he had a question before on a similar project. The one thing Aric said that bothers him about the design, as it is shown, is that it is another project whether the building is going to turn its back on the primary street. The back faces Washington Street. Would it be with the

commission's ability to state that the building should have a prominent entry that faces the main street. Dan said that was within the committee's purview.

Aric also had a question concerning the notation on the site plan of a 16' maximum setback. Aric said that everything on Washington Street is street front and this complex would be back 13'. That will change the presence along Washington Street. Dan said the townhouse on the other side of Patrick Street sets backs. Aric said it looks like there is one other building that will remain on Washington Street until you hit the next street. Dan said the proposed complex is much taller than the other buildings and the fact it sets back a little more does not bother him as much. Adam Krason said that some of the entry element out closer to the road and have a one-story entry element. Aric agrees with Adam's comment. There does not appear to be anything attaching the building to Washington Street. Dan said this is similar to what the commission required of Kanawha Charleston Housing on Patrick Street too. I believe have doors facing Patrick Street as well and that was a requirement of the Planning Commission. Dan said what Aric and Adam have proposed is consistent with what the Commission recommended in the past.

Aric said the downhill side is that they are proposing to build half a story and then a retaining wall. Adam said the only door facing Washington Street is out of the emergency stairwell.

Mr. Garvick said he does not have the elevations with him to see what that front looks like at Washington Street. He will try to get those by pdf shortly. The second floor would be the same level as West Washington. There is access from the second level to West Washington. Aric said that it was not a prominent entrance, but it does not mean something could not be done. Adam said if the second floor is level with Washington Street, there is no reason there could not be a prominent entry from both sides, one that faces the major road and one that faces the parking area for convenience of the residents. Adam said that makes it more appropriate for the community and the residents.

Dan asked if there was an issue with floor heights and Washington Street? Mr. Garvick said that what he is referring to is the second level is accessible to the West Washington sidewalk. Aric asked if the windows were normal height. Mr. Garvick said the windows are normal height. Adam says it is an easy fix and something that could be accommodated in the design.

Aric said that another part of their purview is looking at how the entrance and exits are to the site, i.e., whether access from the alley is appropriate, should there be an entrance off Patrick Street. Those are issues that this commission can review and vote on if necessary. It is not just the building itself. It is all the circulation and how it works.

Aric asked if there were any further questions for the staff. There were no further questions.

Aric asked if there was anyone present to speak in favor of the application. There was no one present to speak in favor of the application.

Aric asked if there was anyone present to speak in opposition to the application.

City Councilwoman Beth Kerns for Ward 7 had questions concerning the DSI. Ms. Kerns asked if this was low-income or government subsidized housing. Aric responded that the questions Ms. Kerns asked are not part of the Municipal Planning Commission's review process. Ms. Kerns said it is a concern of the west side residents, because there are a number of low-income housing complexes being built in that area.

Dan responded that housing is a permitted use in this zoning district, so the commission cannot deny the request based on whether it is low-income, moderate-income, etc. Ms. Kerns asked if they are allowed to know this information. It is not information that enters into the Planning Commission's decision-making process. Dan said if you want to talk to the developer outside the meeting, that would be completely appropriate.

Mr. Garvick stated again that he is the site engineer, not the building architect. After conferring with Ms. Little, she is with the owner and developer, we will commit to making a covered entrance at that location as requested. It will not be a public entrance, because the office is off the parking lot in the back where the tenants enter and exist. Security is an issue for that reason. It will probably be a key fob entrance. Aric said that the concern is more that it has a front door, not just covered, but a substantial front entrance. Dan said the door should be centered in the facade and not appearing to be a secondary door at the end of the façade.

Adam said that when DSI plans have been reviewed in the past, they have seen elevations of the building. All the commission has to review today is a site plan. Is it uncommon to be able to review the elevations of the buildings. Dan said that request can be made.

Aric said he would not personally require the door to be centered, because they could do something nice to bring that out. A statement can be made without being centered. Aric said he would not put that in the record.

Note and Vote: Adam Krason made a motion to table the DSI at 1661 Washington Street West and request the additional information. The motion was seconded by Cory Stout and passed unanimously by a vote of 9-0.

4. Minutes of the January 4, 2023 MPC meeting

Mote and Vote: Adam Krason made a motion to approve the minutes of the January 4, 2023 meeting. The motion was seconded by Lisa Fischer-Casto and passed unanimously by a vote of 9-0.

5. Announcements

6. Presentation of Planning Department's 2022 Annual Report by Lori Brannon

7. Adjournment