



Planning, Streets and Traffic Committee
Monday, December 18, 2023, at 5:30 p.m.
AV Room #308, City Hall, Charleston WV

AGENDA

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

Rezoning: Bill No. 8020 - 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-6 district to a C-8 district, the parcel of land identified as 875 Oakwood Road, South Annex District, Tax Map 11, Parcel 22 in the City of Charleston, Kanawha County, State of West Virginia.

Text Amendment: Bill No. 8014 - A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, adopted January 1, 2006, as amended, by adding the definition of Digital Display Sign to Section 2-020, amending sections 24-050, 24-060, and deleting section 24-080-07 relating to authorizing the use of digital display signs.

- 4. Discussion**
- 5. Approval of the Minutes of the November 27, 2023, meeting**
- 6. Adjournment**

Bill No. 8020

Introduced in Council:

Adopted by Council:

Introduced by:

Frank Annie

Referred to:

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

Bill No. 8020 – 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-6 district to a C-8 district, the parcel of land identified as 875 Oakwood Road, South Annex District, Tax Map 11, Parcel 22 in the City of Charleston, Kanawha County, State of West Virginia.

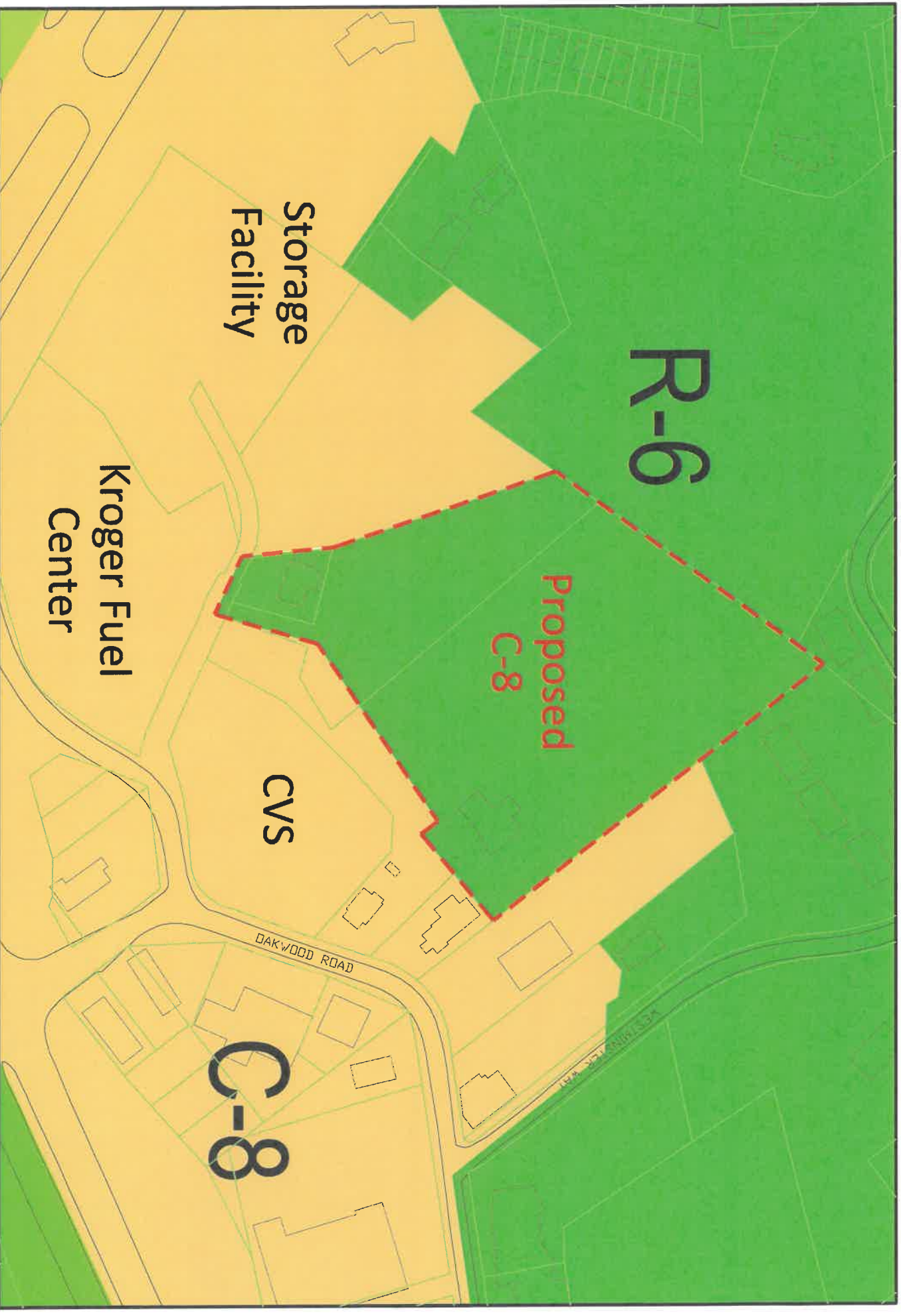
**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHARLESTON, WEST VIRGINIA
THAT:**

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 a R-6 district to a C-8 district the whole of the following described lot or parcel of land:

Parcel No. 22 as shown on South Annex Tax Map No. 11. Subject parcel commonly known as "Lot 2 RESUB LTS 1-4 MULLINS, EST JOPLIN BR CONT. 3.729AC M/L" 875 Oakwood Road, Charleston, West Virginia. Said tax map is of record on the Planning Office.

2. The Zoning Map, attached to and made a part of said Zoning Ordinance, is hereby amended in accordance with Section 1 of this Ordinance.

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 All prior ordinances, or parts of ordinances, inconsistent with this Ordinance, are hereby repealed to the extent of said inconsistency.



REZONING FROM R-6 TO C-8

 Municipal Planning Commission
Checklist for Application for Rezoning

MPC Hearing Date: _____

Bill #: _____

Applicant Information	Property Information
Name: <u>David L. Dotson</u>	Address: <u>875 Oakwood Rd</u> <u>Charleston, WV 25314</u>
Address: <u>875 Oakwood Rd Charleston, WV 25314</u> <u>877 Oakwood Rd Charleston, WV 25314</u>	Tax Map and Parcel: <u>11 0022 0000 0000</u>
Phone: _____	Zoning District: <u>C8 & R6</u>
Agents Name, Address, Phone (If other than Applicant):	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: 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.

David L. Dotson
Signature

11-3-2023
Date

Bill No. 8014 Committee Substitute

Introduced in Council:

October 4, 2003

Introduced by:

Pat Jones

Adopted by Council:

Referred to:

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

Bill No. 8014 - A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, adopted January 1, 2006, as amended, by adding the definition of Digital Display Sign to Section 2-020, amending sections 24-050, 24-060, and deleting section 24-080-07 relating to authorizing the use of digital display signs.

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

The Zoning Ordinance for the City of Charleston, West Virginia, effective January 1, 2006, is hereby amended as follows:

1) Sec. 2-20 Definition of Terms

Digital Display Sign: The portion of a sign message made up of internally illuminated components capable of changing the message periodically. Digital displays may include but are not limited to LCD, LED, or plasma displays.

2) Sec. 24-050. Prohibited Signs

The following signs shall be prohibited in all districts, except as otherwise noted herein:

- A. Signs which incorporate in any manner flashing or moving lights or any other visible moving or revolving part, attention attracting device, ~~except for time, temperature, or date signs.~~
- B. Banners, pennants, flags, spinners, or streamers, except as permitted in Sec. 24-070-03, Supplemental Regulations for Temporary Signs in Residential Districts, and Sec. 24-080-03 Supplemental Regulations for Temporary Signs Permitted in Commercial and Industrial Districts.
- C. Signs which obstruct or impair the vision of drivers or obstructs or detracts from the visibility of, or resembles, any traffic sign or traffic control device on a public street or road, by reason of size, shape, location, color, or illumination.
- D. Signs which make use of words such as "STOP", "LOOK", "DANGER", or other similar words, phrases, symbols, or characters in such a manner as to imply the need or requirement of stopping or the existence of danger.
- E. Sign which obstructs free ingress or egress for a door, window, fire escape, or other exit way required by the Building or Fire Code.
- F. Portable signs.
- G. Signs containing graphics or lettering illustrating specified sexual activities

- and/or specified anatomical areas, as defined within this ordinance.
- H. Any sign which no longer advertises a bona fide business, activity, campaign, service or product, including real estate signs.
 - I. Any sign not in compliance with regulations involving highway interstate standards and specifications.
 - J. Roof signs.
 - K. Merchandise, equipment, products, vehicles, or other items not themselves for sale and placed for attention-getting, identification or advertising purposes.
 - L. Any sign erected on a tree or utility pole.
 - M. Any sign structure or frame no longer containing a sign.
 - N. Any sign that is structurally or electrically unsafe.
 - O. Temporary signs located in a public right-of-way.
 - P. ~~Digital, LED or similar signs, except for time, temperature, or date signs, except as permitted in Section 24-080-05.~~

3) **Sec. 24-060 General Sign Regulations**

- A. All signs shall comply with the provisions of Section 21-030, Safety and Vision.
- B. A pole sign shall not extend over a public right-of-way.
- C. A wall sign shall not extend above any roof line or further than twelve (12) inches from the building, or part of the building, to which the sign is attached.
- D. No shingle sign or marquee sign shall be lower than nine (9) feet above ground level.
- E. No sign shall be permitted to be erected unless the back of such structure is shielded from public view by a building, other structure, high planting, or another sign of the same size (where permitted), or unless such back is painted a neutral color or is enclosed in a solid metal backing that is treated or painted against corrosion.
- F. The painted portions of signs shall be periodically repainted and kept in good condition.
- G. The general area in the vicinity of a sign must be kept clear of weeds, debris, trash and other refuse by the property owner.
- H. The roofs of all marquees shall be properly guttered and connected by down spouts to a sewer so that the water there from will not drip or flow onto public property.
- I. The allowed square footage of window signs in zoning districts R-O and above shall not exceed 25% of the total square foot area of each window, or up to 50% of the total square foot area of each window if there are no wall signs on the premises. Window sign calculations shall include, but not be limited to, informational signage such as hours of operation and open/closed signs.
- J. Digital display signs shall be freestanding signs of an area of 12 square feet or less and conform to other relevant definitions and restrictions for freestanding signs listed elsewhere in the Zoning Ordinance. Such signs

82 must remain static and nonanimated and shall while remaining fixed for a
83 minimum of ~~10 seconds~~ 15 minutes. Messages must transition instantly,
84 with no transition graphics. The luminance may not exceed 5,000 nits
85 (candela per square meter) between sunrise and sunset or 250 nits during
86 nighttime hours. Digital display signs are not permitted in the Central
87 Business District or the East End Overlay District.
88

- 89 5) All prior ordinances or parts of ordinances, inconsistent with this ordinance are
90 hereby repealed to the extent of such inconsistency.
91
92

