



Planning, Streets and Traffic Committee
Monday, August 10, 2026, at 5:00 p.m.
City Service Center – 915 Quarrier Street – Conference Room

AGENDA

Revised 8/6/2026

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

Bill No. 8085 - 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-4 Single Family Residential District to a C-10 General Commercial District the parcels of land identified as 1708, 1710, and 1712 5th Avenue, West Charleston District, Tax Map 10, Parcels 205, 206, and 207 in the City of Charleston, Kanawha County, State of West Virginia.

Bill No. 8086 - A Bill to amend and reenact ordinance 1984, related to a No Parking Area on Garrison Avenue by amending the area to include both easterly and westerly sides of Garrison Avenue and amending the Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

Bill No. 8087 - A BILL to amend and reenact Article VIII, Section 102-311 through 102-324 of the Municipal Code of the City of Charleston, relating to updating stormwater ordinances regarding erosion and sediment control to comply with the City's Stormwater Management Plan.

- 4. Discussion**

~~Consideration to change metered parking in the 700 block of Bigley Avenue.~~

~~Consideration to change to short-term metered parking in the 100 and 200 block of Capitol Street.~~

~~Consideration to change to short-term metered parking in the 700 block of Quarrier Street.~~

- 5. Approval of the Minutes of July 20, 2026, meeting**
- 6. Adjournment**

Bill No. 8085

Introduced in Council:

August 3, 2026

Introduced by:

Mary Beth Hoover, Pat Jones

Adopted by Council:

Referred to:

Municipal Planning Commission
Planning, Streets and Traffic

Bill No. 8085 – 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-4 Single Family Residential District to a C-10 General Commercial District the parcels of land identified as 1708, 1710, and 1712 5th Avenue, West Charleston District, Tax Map 10, Parcels 205, 206, and 207 in the City of Charleston, Kanawha County, State of West Virginia.

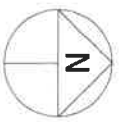
**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHARLESTON, WEST VIRGINIA
THAT:**

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 an R-4 Single Family Residential District to a C-10 General Commercial District the parcel of land:

Parcels No. 205, 206, and 207 as shown on West Charleston Tax Map 10. Subject parcel commonly known as 1708, 1710, and 1712 5th Avenue, Charleston, West Virginia. Said tax map is of record on the Planning Office.

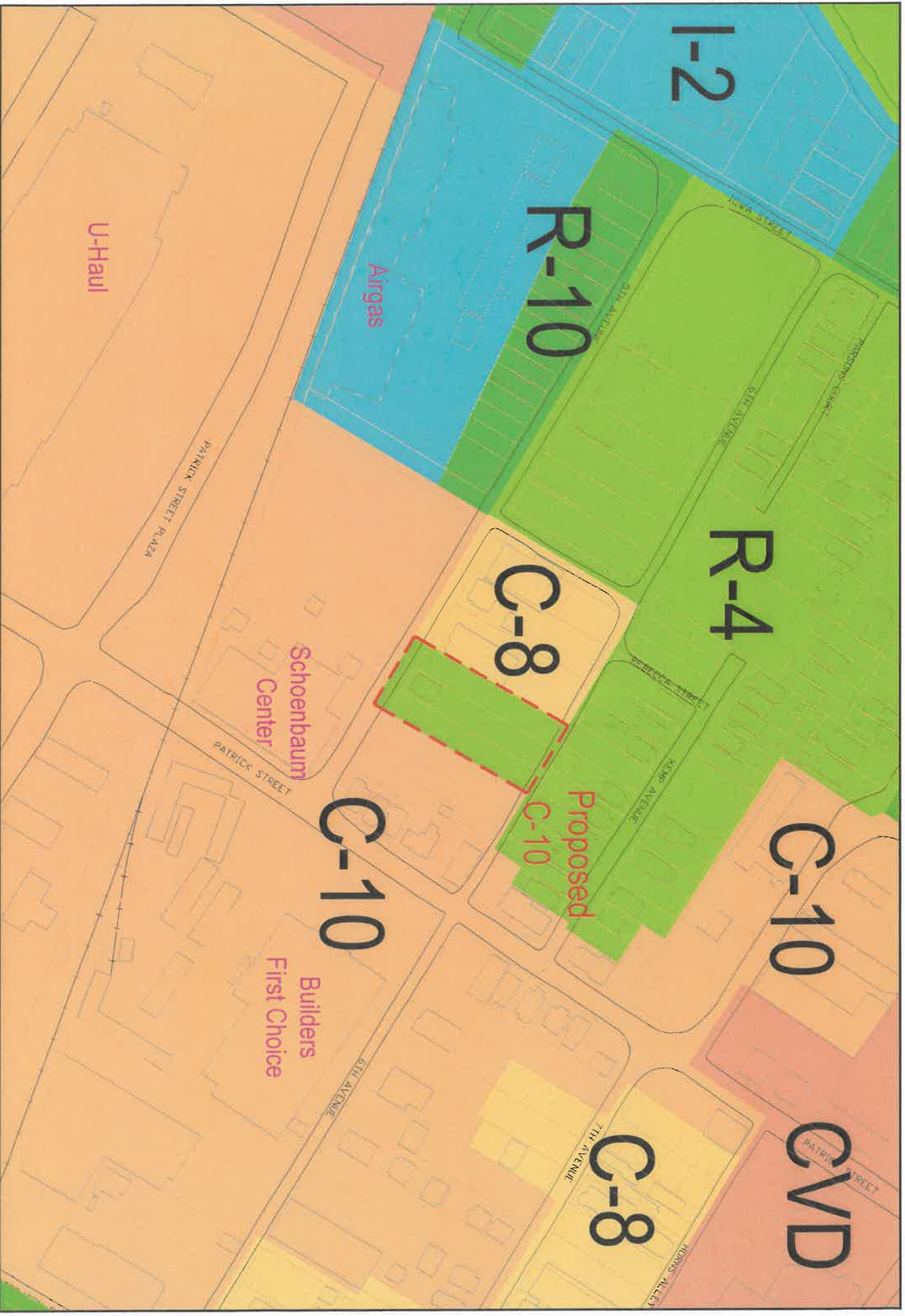
2. The Zoning Map, attached to and made a part of said Zoning Ordinance, is hereby amended in accordance with Section 1 of this Ordinance.

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



REZONING FROM R-4 TO C-10

STAFF
EXHIBIT



1 **Bill No. 8086**

3 **Introduced in Council:**

4 July 20, 2026

Passed by Council:

6 **Introduced by:**

7 Beth Kerns

Referred to:

Planning, Streets and Traffic

8
9 **Bill No. 8086** - A Bill to amend and reenact ordinance 1984, related to a No Parking Area
10 on Garrison Avenue by amending the area to include both easterly and westerly sides of
11 Garrison Avenue and amending the Traffic Control Map and Traffic Control File,
12 established by the code of the City of Charleston, West Virginia, two thousand and three,
13 as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, to conform
14 therewith.

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

16 Section 1. A Bill to amend and reenact ordinance 1984, related to a No Parking Area
17 on Garrison Avenue by amending the area to include both easterly and westerly sides of
18 Garrison Avenue. Establishing a NO PARKING ANYTIME ZONE on Garrison Avenue
19 from 519 Garrison Avenue to the intersection of "Upper" Pacific St at 543 Garrison Avenue

20 Section 2. The Traffic Control Map and Traffic Control File, established by the code of
21 the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws,
22 Section 263, Division 2, Article 4, Chapter 114, shall be and hereby are amended, to
23 conform to this Ordinance.

24
25 Section 3. All prior Ordinances, inconsistent with this Ordinance are hereby repealed
26 to the extent of said inconsistency.

Bill No. 8087

Introduced in Council

August 3, 2026

Introduced by:

Mary Beth Hoover

Adopted by Council:

Referred to:

Planning, Streets & Traffic

Bill No. 8087 - A BILL to amend and reenact Article VIII, Section 102-311 through 102-324 of the Municipal Code of the City of Charleston, relating to updating stormwater ordinances regarding erosion and sediment control to comply with the City's Stormwater Management Plan.

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

That Article VIII, Sections 102-311 and 102-324 of the Municipal Code of the City of Charleston is hereby amended to read as follows:

ARTICLE VIII. – STORMWATER POLLUTION PREVENTION

DIVISION 2. – CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL

Sec. 102-310. - Purpose/intent.

The purpose of this division is to provide for the protection of the health, safety, and general welfare of the **environment and** citizens of the City of Charleston ("**City city**") through the regulation of those construction projects where the discharge of sediment and other construction related pollutants into adjacent waterways is likely to occur.

Sec. 102-311. - Definitions.

The following words, terms and phrases when used in this Division shall have the meanings ascribed to them in this Section except where the context clearly indicates a different meaning:

- (a) *Clearing* means any activity that removes or causes the removal of the vegetative surface cover.
- (b) *Construction* means the act of building, grading, shaping, removing, demolishing, repairing, erecting, extending, installing equipment on/in, or enlarging any building, structure, grounds, or premises.
- (c) *Construction site* means a parcel of land or a contiguous combination thereof where land disturbing activity occurs.
- (d) *Drainage way* means any channel that conveys surface runoff throughout the construction site.

- (e) *Erosion* means the wearing away of land surface by natural or artificial forces such as wind, water, ice, gravity or vehicle traffic.
- (f) *Erosion control* means a measure that is designed to prevent erosion.
- (g) *Erosion and sediment control plan ("ESCP")* means a set of plans indicating the specific measures and sequencing to be used to control erosion and sediment on a construction site.
- (h) *Grading* means the cutting and/or filling of the land surface to a desired slope, elevation, or contour.
- (i) *Impervious area* means an area composed of any material which impedes or prevents the natural infiltration of water into the soil, including but not limited to, concrete, asphalt, and roof surfaces.
- (j) *Land disturbing activity ("LDA")* means any activity that results in the movement or manipulation of soil, rock or other earth materials. This includes, but is not limited to, clearing and grubbing, grading, excavation, filling, embankment construction, road grading, ditch cleaning, mineral extraction, commercial timbering, initial landscape preparation and stockpiling of earth materials. The activities set forth in section 102-314(b) of this division are exempt from the definition of land disturbing activity for purposes of this division.
- (k) *Perimeter control* means a barrier that prevents sediment from leaving a site by filtering sediment-laden runoff or diverting it to a sediment trap or basin.
- (l) *Person* means any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.
- (m) *Phasing* means disturbing a parcel of land in distinct phases, with the stabilization of each phase completed before disturbance of the next phase.
- (n) *Sediment* means soil, sand, silt, and minerals washed from land into water.
- (o) *Sediment control* means measures that prevent eroded sediment from leaving a construction site.
- (p) *Stabilization* means the use of practices that prevent exposed soil from eroding.
- (q) *Start of construction* means the first land disturbing activity associated with a construction project.
- (r) *Stormwater compliance officer* (hereinafter referred to as "compliance officer") means an employee of the City of Charleston City Engineer's Office or City Development Services/Building Department designated by the ~~city~~ City to administer, implement and enforce this article.
- (s) Stormwater conveyance structure means any designed structure, whether natural or man-made product, that conveys stormwater runoff.
- (t) Stormwater Guidance Manual (unless specifically referencing the State Stormwater Guidance Manual) means the City's comprehensive regulatory and technical document that outlines the criteria, best management practices, and procedures for managing rainfall and surface runoff.
- (u) Stormwater Management Plan means a document describing the City's management program covering the duration of the West Virginia Department of Environmental Protection (WVDEP) General Permit for the Municipal Separate Storm Sewer System (MS4) that includes a comprehensive planning process that involves public participation and intergovernmental coordination

to reduce the discharge of pollutants to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act (CWA) and regulations and the State law and its attendant regulations, using management practices, control techniques, and system, design, and engineering methods, and such other provisions that are appropriate.

(v) *Watercourse* means a body of water flowing in a reasonably defined channel with a bed and banks.

(w) *Waterway* means a channel that directs surface runoff to a watercourse or to the MS4.

Sec. 102-312. – E&S Applicability.

This division shall apply, and is not limited to, all Construction projects located within the City that involve land disturbing activity ("LDA") exceeding ~~5,000~~ 10,000 square feet or an increase in impervious area by ~~4,000~~ 10,000 square feet or greater unless exempted by section 102-314(b) this division.

Sec. 102-313. - Responsibility for administration.

The City of Charleston City Engineer's Office, City Development Services/Building Department, and City of Charleston Stormwater Compliance Officers shall administer, implement, and enforce the provisions of this division.

Sec. 102-314. - Approval of land disturbing activity.

(a) Any person applying for a City of Charleston building permit that proposes a construction project involving LDA ~~5,000~~ 10,000 square feet or greater, or an increase in impervious area by ~~4,000~~ 10,000 square feet or greater, is required to obtain approval for such LDA from the City Development Services/Building Department and/or ~~city engineer's~~ City Engineer's office. Requests for approval shall be made at the time of application for a building permit; provided, however, that a building permit shall not be issued in the absence of prior approval of the LDA.

(b) Notwithstanding section 102-314(a) herein, approval for LDA shall not be required for the following activities:

(1) Interior renovations;

(2) Roof repair;

(3) Building facade maintenance;

(4) Milling and repaving of existing asphalt or concrete streets, parking lots, or sidewalks;

(5) Maintenance of existing landscaping or gardens;

(6) Cutting of trees and brush (provided the area remains vegetated and no grubbing of root system occurs); and

(7) Maintenance of pervious sports fields such as replacement of the clay surface to baseball infields, turf plugging of golf fairways and greens.

(c) Erosion and sediment controls will still be expected to be implemented on any site if deemed necessary by a compliance officer.

126 **Sec. 102-315. - Submission of erosion and sediment control plan; modifications.**

- 127 (a) Any person requesting approval of LDA is required to submit an Erosion and
128 Sediment Control Plan ("ESCP") to the ~~city-building department~~ City Development
129 Services/Building Department as part of the building permit application for review
130 and approval. The ESCP shall comply with the provisions set forth in the City of
131 Charleston Stormwater Management Guidance Manual regarding erosion and
132 sediment control measures. The Stormwater Management Guidance Manual will
133 be available to the public on the City's stormwater website, as well as on file at the
134 ~~city-engineer's~~ City Engineer's office.
- 135 ~~(b)~~ All control measures set forth in an approved ESCP shall be followed and
136 maintained at all times during the construction project unless modified with the
137 approval of the ~~city-building department~~ City Development Services/Building
138 Department and/or ~~city-engineer's~~ City Engineer's office. Any significant
139 modifications to an ESCP must be approved by the City Development
140 Services/Building Department and/or ~~city-engineer's~~ City Engineer's office via
141 written authorization to the permittee. ~~Minor modifications to the ESCP may be~~
142 ~~approved by the city-building department and/or city-engineer's office and/or at the~~
143 ~~construction site.~~
- 144 (c) ~~A copy of the approved ESCP shall be kept on the~~ construction site during all
145 stages of a construction project and shall be made available for review upon
146 request by a compliance officer.

147
148 **Sec. 102-316. - Erosion and sediment control design requirements.**

- 149 (a) Grading, erosion control practices, sediment control practices, and waterway
150 crossings shall meet the design criteria set forth in the most recent version of the
151 ~~city's~~ City's Stormwater Management Guidance Manual and shall be adequate to
152 prevent transportation of sediment from the construction site.
- 153 (b) Clearing and grading of natural resources, such as protected habitats and
154 wetlands, shall not be permitted, except when in compliance with the Stormwater
155 Management Guidance Manual.
- 156 (c) Clearing, except to the extent necessary to establish sediment control devices,
157 shall not begin until all sediment control devices have been installed and have
158 been stabilized.
- 159 (d) Minimum erosion control requirements shall include:
- 160 (1) Temporary seeding must be applied if the construction site is idle for more
161 than 21 days, including soil stockpiles and waste areas.
- 162 (2) Special techniques that meet the design criteria outlined in the Stormwater
163 Management Guidance Manual on steep slopes or in drainage ways shall
164 be used to ensure stabilization.
- 165 ~~(3) Soil stockpiles must be stabilized or covered at all times.~~
- 166 ~~(3)~~ ~~(4)~~ The entire construction site must be stabilized at the close of the
167 construction season, which may include, but is not limited to, temporary
168 seeding, mulching, and the use of erosion controls.
- 169 ~~(4)~~ ~~(5)~~ Techniques shall be employed to prevent the transportation of dust or
170 sediment from the construction site.

- 171 ~~(5)~~ (6) Techniques shall be employed to divert upstream runoff away from LDA
172 without causing any additional erosion.
- 173 (e) Minimum sediment control requirements shall include: sediment basins,
174 stormwater inlet protection, sediment traps, and/or perimeter controls.
- 175 (f) Minimum waterway and watercourse protection requirements shall include:
176 (1) Approval of a waterway or watercourse crossing by all applicable federal
177 and state agencies having jurisdiction, which may include, but is not limited
178 to, WVDEP, West Virginia Department of Natural Resources, United States
179 Army Corps of Engineers, and the United States Environmental Protection
180 Agency.
- 181 (2) Stabilization of a watercourse before, during, and after any in-channel work.
- 182 (3) All on-site stormwater conveyance channels designed according to the
183 criteria outlined in the Stormwater Management Guidance Manual.
- 184 (4) Stabilization adequate to prevent erosion located at the outlets of all pipes
185 and paved channels.
- 186 (g) Construction site access requirements shall include: establishment and
187 maintenance of a stabilized construction site entrance as outlined in the
188 Stormwater Management Guidance Manual.

189
190 **Sec. 102-317. - Review and approval of land disturbing activity and erosion and**
191 **sediment control plan.**

192 The ~~city-engineer's~~ City Engineer's office and/or ~~city-building-department~~ City
193 Development Services/Building Department shall review each request for approval of
194 LDA and the corresponding ESCP to determine conformance with the requirements of
195 this division. Within ten days after receiving a building permit application and
196 corresponding ESCP, the ~~city-engineer's~~ City Engineer's office and/or ~~city-building~~
197 ~~department~~ City Development Services/Building Department shall, in writing:

- 198 (1) Approve the requested LDA and corresponding ESCP;
199 (2) Approve the requested LDA and corresponding ESCP subject to conditions as may
200 be necessary to satisfy the objectives of this Division; or
201 (3) Deny the requested LDA and corresponding ESCP, indicating the reason(s) for
202 denial and the procedure for submitting a revised ESCP, if appropriate.

203
204 **Sec. 102-318. - Inspection of construction site.**

- 205 (a) All construction sites involving City-regulated LDA and requiring an approved
206 ESCP shall be inspected and approved by a compliance officer. Compliance
207 officers shall inspect construction sites as authorized by this section and shall
208 either approve that portion of the work completed or shall notify the person
209 receiving approval for the LDA that the work is not in compliance with the approved
210 ESCP. To obtain the required permits and inspections, the person receiving
211 approval for the LDA shall notify the City Engineer's office and/or ~~city-building~~
212 ~~department~~ City Development Services/Building Department of the construction
213 start date. If there is to be a change in said start date, the City Engineer's office
214 and/or ~~city-building-department~~ City Development Services/Building Department is
215 to be notified at least two working days before start of construction. Compliance
216 officer inspections may consist of, but not be limited to, the following stages:

- (1) Installation of erosion and sediment control measures;
- (2) Completion of demolition;
- (3) Completion of site clearing and rough grading;
- (4) Installation of any stormwater conveyance structures; and
- (5) Completion of project.
- (b) The person receiving approval for LDA and corresponding ESCP shall make regular inspections of all control measures in accordance with the inspection schedule outlined in the approved ESCP. The purpose of such inspections will be to determine the overall effectiveness of the ESCP and the potential need for additional control measures. All inspections shall be documented in writing and shall be kept on site.

Sec. 102-319. - Notice of noncompliance and order to correct.

- (a) When a compliance officer determines after reasonable observation or investigation that a person has not complied with any provision of this division or has failed to comply with an approved ESCP, the compliance officer may order compliance by written notice of noncompliance and order to correct.
- (b) Notice(s) of noncompliance and order(s) to correct shall be served in accordance with the law of the State of West Virginia concerning the service of process in civil actions, except that a method of service effectuated by a mailing by the clerk of a court (e.g., service pursuant to West Virginia Rule of Civil Procedure 4(d)(1)(D)) shall be deemed to be effectuated by a mailing by a compliance officer. If service is made by certified mail consistent with West Virginia Rule of Civil Procedure 4(d)(1)(D) and delivery of the notice of noncompliance and order to correct is refused, the compliance officer, promptly upon the receipt of the notice of such refusal, shall mail to the person being noticed, by first class mail, postage prepaid, (1) a copy of the notice of noncompliance and order to correct (2) a notice that despite such refusal, the notice of noncompliance and order to correct is valid, and (3) advising that the city will proceed to enforce the notice of noncompliance and order to correct. So long as such first class mailing is not returned as undeliverable by the U.S. Postal Service, service of the notice of noncompliance and order to correct will be conclusively presumed to have been effectuated. Proof of service shall be made at the time of service by a written declaration, under oath, executed by the enforcement official effecting service and shall declare the time, date and manner by which service was made.
- (c) Any notice of noncompliance and order to correct under this section shall be in writing and shall contain the following:
- (1) The date the notice of noncompliance and order to correct is given;
 - (2) The name and address of the person(s) charged with the noncompliance;
 - (3) The nature of the noncompliance;
 - (4) A statement of the action required to be taken in order to correct the noncompliance and further prevent it;
 - (5) The time period allowed for correction. When determining the time period allowed for correction, a compliance officer shall take into consideration the threat posed by the noncompliance to the health, safety and welfare of the public and the nature of the work required to correct the noncompliance;

- (6) The maximum fines that may be assessed if the noncompliance is not corrected and a citation is issued; and
- (7) The name, business address and telephone number of the compliance officer issuing the notice of noncompliance and order to correct.
- (d) Nothing in this section shall limit the authority of compliance officers to take any other lawfully prescribed enforcement action, including emergency actions or any other enforcement action, without first issuing a notice of noncompliance and order to correct.
- (e) Failure to correct the noncompliance by the date set forth in the notice of noncompliance and order to correct shall be reported to the City Development Services/Building Department. Any subsequent work performed shall constitute work being performed in a dangerous or unsafe manner or in a manner contrary to the W.Va. State Building Code, as adopted by Charleston Municipal Code section 14-33(a), and the person charged with the noncompliance may be issued a stop work order or the building permit may be revoked.

Sec. 102-320. - Injunctive relief.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this division. If a person has violated or continues to violate the provisions of this division, the city may petition a court of competent jurisdiction for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation. Any such Person against whom such an injunction is issued shall be responsible for paying all costs of the city in obtaining and enforcing such injunction, including the court costs and attorney's fees.

Sec. 102-321. - Violations deemed a public nuisance; penalties.

(a) In addition to the enforcement processes and penalties provided in this division, any condition caused or permitted to exist in violation of any of the provisions of this division shall be considered a threat to the public health, safety, welfare and the environment, may be declared and deemed a nuisance, and may be summarily abated and/or restored by, or at the direction of, the city, by and through its compliance officer. The city may initiate any administrative or civil actions as necessary and appropriate to abate, enjoin or otherwise compel the cessation of such nuisance.

(b) The cost of any such abatement and/or restoration by the city shall be the sole responsibility of the owner of the property and the cost thereof shall be a lien upon and against the property. Such lien shall continue in existence until the same shall be paid.

Sec. 102-322. - Criminal prosecution.

In addition to any administrative remedy provided in this division, violations of this division constitute a criminal misdemeanor, subject to criminal citation and punishable by a fine of not less than \$500.00. Every day or portion thereof that a person fails or refuses to remedy a violation shall be considered a separate offense. Fines may be reduced by the municipal court only upon agreement of the city by and through its prosecutor.

Sec. 102-323. - Remedies not exclusive.

The remedies listed in this Division are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the city to seek cumulative remedies.

Sec. 102-324. - Severability.

The provisions of this division are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this article, or the application thereof to any person, establishment, or circumstances, shall be held invalid, such invalidity shall not affect the other provisions or application of this division.

Secs. 102-325—102-330. – Reserved.

Planning, Streets and Traffic Committee
Monday, May 11, 2026, at 5:00 p.m.
City Service Center – 915 Quarrier Street – Conference Room

Members Present

Mary Beth Hoover, Chairperson
Bobby Haas
Becky Ceperley
Jennifer Pharr, Vice Chairperson
Pam Burka

Others Present

Chad Robinson
Harper Gardner

Members Absent

Kathy Rubio
John Gianola

Staff

Dan Vriendt
Matt Hartline
Sgt. Jessi Redden

1. Call to Order

2. Unfinished Business

3. New Business

A request to install no parking signs at the dead-end portion of Larchwood Road to allow vehicles room to turn around.

Harper Gardner had a constituent reach out on Larchwood. She is the last address on Larchwood. Her husband is disabled and they rely on the KRT transportation vans for everything. However, when the residents on Bridge Road access the back the KRT vans cannot turn around and will not go up Larchmont. This results in the wife having to wheel her husband down the road and the paving is not great. They asked if the city could assist them in this matter.

Becky stated that this matter does not go to any other committee once they pass it.

MOTION AND VOTE: Becky Ceperley made a motion that a “No Parking” sign be installed at the dead-end portion of Larchwood Road to allow vehicles the room needed to turn around. The motion was seconded by Bobby Haas and passed by a unanimous vote of 5-0.

A Request for Quarry Creek to reduce speed limits to 25 MPH throughout the development.

Chad Robinson stated that this was a request from Quarry Creek's Neighborhood Association. The current speed limit is 30 mph. Chad stated that through Kanawha City everything has been reduced to 25 mph except for Chesterfield and Kanawha Avenues.

MOTION AND VOTE: Becky Ceperley made a motion that the speed limit in Quarry Creek be reduced to 25 mph. The motion was seconded by Pam Burka and passed by a unanimous vote of 5-0.

4. Discussion

Jennifer Pharr – mentioned that someone is interested in the vacant lots near the former Tiskelwah School for veterans.

5. Approval of the Minutes of March 9, 2026, meeting

MOTION AND VOTE: Becky Ceperley made a motion that the minutes of the March 9, 2026 meeting be approved. The motion was seconded by Jennifer Pharr and passed by a unanimous vote of 5-0.

6. Adjournment

Jennifer Pharr made a motion to adjourn.