

# PLANNING DEPARTMENT

## Morgantown Land Use Planning Milestones

- 1944 .....City Council adopted first Zoning Ordinance
- 1959 .....West Virginia Planning Enabling Act Adopted
- 1961 .....City's First Comprehensive Plan Adopted
- 1970 .....Comprehensive Plan Updated
- 1979 .....First City Planner Hired
- 1998 .....Comprehensive Plan Updated
- 2006 .....Zoning Ordinance Modernized and Codified



## Introduction

**The Vision** is to organize a municipal Planning Department that puts customer service first; works, through motivated professionals, to shape a high quality community for residents, business, and visitors; and, serves as a model for management excellence.

**The Mission** is to enhance the quality of life and the design of the community, foster innovative planning, and promote sustainable community and economic development. This is accomplished by exercising commitment to public service and fairness, while maintaining respect for individual property rights.

**The Purpose** is to provide advice and technical expertise for elected officials, appointed citizen planners, City Departments, public agencies, and residents in pursuit of supporting well-informed and collaborative land use and land development decisions. Efforts are guided by an understanding and commitment to the principle that these decisions have a direct impact on the community's quality of life today and for future generations.

## Programs and Services

The activities of the Planning Department are categorized as long-range planning, special studies, community development, current planning, and intergovernmental services.

**Long-range planning** involves the Comprehensive Plan process, which includes citizen reviews and public meetings leading to the adoption and update of the Plan. West Virginia State Code §8A-3-11, as revised in 2004, mandates that local comprehensive plans be reviewed and updated at least every ten (10) years. The next comprehensive plan update is programmed for calendar year 2008.

**Special Studies** include both scheduled and unscheduled requests for research and analysis of particular issues and projects. Additional requests arise internally from City Council and City Boards and Commissions. These studies involve interaction with committees and interest groups and eventually foster policy and/or ordinance formulation, enactment, and implementation.

**Current Planning** involves daily interactions with the general public regarding pre-application conferences, inquiries, and complaints. “Current Planning” also includes the routine review for Comprehensive Plan and Planning & Zoning Code compliance of:

- Minor and major subdivision petitions
- Site plan applications
- Variance petitions
- Conditional use petitions
- Zoning text amendment petitions
- Zoning map amendment petitions
- Home occupancy applications
- Administrative appeal petitions
- Building permits applications
- Grading permits applications
- Certificates of Occupancy
- Sign permit applications
- Business licenses

**Community Development** refers to a wide range of general and specific activities pertaining to community improvement and quality of life matters. Attendance at various meetings of neighborhood groups, community service organizations, and government agencies fall within this category. The Planning Department remains an active participant by attending an average of 5 to 10 community and economic development related activities a month.

**Intergovernmental Services** refers to technical support and assistance to City Departments and allied county and regional agencies including demographic research and analysis, data collaboration and sharing, GIS analysis and mapping, transportation planning, public facilities planning, and infrastructure improvements. The Planning Department manages the caseload of the City’s Technical Review Team, which is comprised of representatives of the Planning Department, Code Enforcement Division, Engineering Department, Fire Department, and Morgantown Utility Board (MUB). The Team is charged with conducting preliminary plans review with developers of multi-family residential projects and all commercial and industrial projects. This Team continues to foster Departmental coordination of plans review and provides an opportunity for developers to meet with Departments in one forum. The Planning Department also devotes limited services for the coordination of the City’s Wellness Program.

## **Staffing**

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The Department is currently staffed with a Director and a Deputy Director. The Department maintains a quality internship program with participants representing West Virginia University Departments of Geography, Political Science, Public Administration, and Landscape Architecture.

**Christopher M. Fletcher, AICP** joined the Planning Department as the Director in 2005. He is a certified professional planner with public and private sector experience in land use and land development planning, community and economic development, and federal and state block grant administration. Chris currently serves as the President of the West Virginia Planning Association, is a member of the American Planning Association, and a former Councilor with the City of Weirton, West Virginia.



**Lisa Mardis** joined the Planning Department as Assistant to the Planner in 2000. She currently serves as the Deputy Director. She previously served in several local and state government roles with the City of Westover and the State of Maryland in Garrett County. Lisa is a member of the West Virginia Planning Association and the American Planning Association. She is currently working to fulfill the testing and certification requirements of the American Institute of Certified Planners.



## Citizen Planners

The success of local planning policies, programming, and services depends largely on the commitment and integrity of residents appointed to serve on various planning-related committees. Morgantown is fortunate to enjoy a well-informed public that is willing to serve the role of “citizen planner.” The Department provides staff support to the following committees:

Citizen Planner	Original Appointment	Current Term
<b>Planning Commission</b>		
Rick Hicks, President 3 <sup>rd</sup> Ward Representative	01/18/00	01/01/04 – 12/31/07
Marti Shamberger, Vice Pres. 5 <sup>th</sup> Ward Representative	02/19/03	01/01/07 – 12/31/09
Sam Loretta 1 <sup>st</sup> Ward Representative	06/20/06	01/01/06 – 12/31/08*
Tim Stranko 2 <sup>nd</sup> Ward Representative	03/21/07	01/01/06 – 12/31/08*
Kathryn Greever 4 <sup>th</sup> Ward Representative	07/02/07	01/01/07 – 12/31/09*
Peter DeMasters 6 <sup>th</sup> Ward Representative	03/21/06	01/01/04 – 12/31/07*
Theresa Rich 7 <sup>th</sup> Ward Representative	07/18/07	01/01/07 – 12/31/09*
Jennifer Selin City Councilor	07/02/07	City Council term ending 06/30/09
Dr. Ken Martis Administration Representative	05/01/01	at will of City Manager
<b>Board of Zoning Appeals</b>		
Bernie Bossio, Chair	01/04/05	01/01/06 – 12/31/08
Nick Iannone, Vice-Chair	01/06/98	01/04/05 – 12/31/07
Mark Furfari	03/15/05	01/01/06 – 12/31/08
James Shaffer	02/07/06	01/01/07 – 12/31/09
Leanne Cardoso	08/21/07	01/01/07 – 12/31/09*
<b>Downtown Design Review Committee</b>		
Tom Anderson	Jennifer Selin	
Bob Carubia	Steve McBride	
Michael Mills	Sam Loretta	
Constance Mirandi	Terri Cutright, Ex-Officio	

*\*filling unexpired terms*

## 2007 Activities

The distribution of activities across Department programs and services for the reporting year was:

- Current Planning ..... 60%
- Special Studies ..... 15%
- Intergovernmental Services ..... 10%
- Community Development ..... 10%
- Long-range Planning ..... 5%

The following table illustrates the Planning Department's caseload for reporting years 2005, 2006, and 2007.

	Number of Applications			2007 Actions			
	2005	2006	2007	Pending	Approved	Denied	W/drawn
Variances	16	26	41	–	36	2	3
Conditional Uses	25	13	13	–	7	1	5
Site Plans	14	22	21	2	18	1	–
Minor Subdivisions	25	41	35	2	30	–	3
Major Subdivisions	1	1	2	1	1	–	–
Map Amendments	4	5	7	1	5	1	–
Text Amendments	5	15	10	2	8	–	–
Administrative Appeals	1	1	2	1	–	–	1
<b>TOTAL</b>	106	124	131	9	105	5	12

The following statistics represent activity in addition to the above table:

- Approximately 740 building permit reviews from November 2006 through October 2007 (estimated 40% of the 1,839 building permits issued during this period)
- Approximately 2,300 general planning and zoning inquiries for the reporting year
- Approximately 340 pre-application conferences for the reporting year
- Approximately 520 hours were devoted to research, facilitation, and preparation of the B-4 related text amendments and the B-4 Neighborhood Preservation Overlay District.
- Approximately 150 hours were devoted to the Square at Falling Run PUD
- Approximately 50 hours were devoted to the Grand Central Apartments PUD
- Approximately 20 hours were devoted to the City's Wellness Program for the reporting year
- Approximately 50 sign permits for the reporting year compared to 60 in 2006
- Twenty-six (26) Class 1 Home Occupations were approved during the reporting year
- No conditional use, Class 2 Home Occupations were granted during the report year

## Observations

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The following observations relate to the Department's 2007 activities:

- **Sunnyside Neighborhood** – There were ten (10) multi-family and mixed-use development projects approved by the Planning Commission in 2006 and 2007 – approximately \$80.5 million of development and approximately 1,200 student bedrooms. This trend is expected to continue.
- **Planned Unit Developments (PUD)** – Status of the three (3) existing PUDs includes:
  - Square at Falling Run – Outline approved in 2003; Phase I to construct “The Augusta” was completed and tenants occupied the buildings in September 2007; the Planning Commission modified the Outline Plan in 2007 to provide flexibility in staging remaining phases; Phase II to partially construct the parking garage facility is anticipated in 2008.
  - SC Bodner – Outline Plan approved in 2006; an amendment is anticipated in early 2008 to address site constraints; construction is anticipated in 2008 with delivering in 2009.
  - Grand Central Apartments – Outline Plan approved in 2007; construction is anticipated in early 2008.
- The number of **Variance Applications** rose by 156% from 2005 to 2007. Although variances provide relief for unique situations, too many may lead to circumvention of the Planning & Zoning Code. The significant increase in variance petitions during the 2006 and 2007 reporting years appear to be attributed to, in part, the signage regulations and Sunnyside Overlay District design standards enacted in January 2006. The Department will study the feasibility of revising these provisions in 2008 to ensure that fundamental policy objectives are preserved and/or modified to reflect market realities.
- The number of **Conditional Use Applications** remained the same in 2007 as in 2006, which remains 48% less than 2005. One of the fundamental policy objectives supporting the January 2006 major zoning ordinance revision was to increase opportunities of mixed-use development and the number of by-right permitted uses in most zoning districts. This objective appears to have been met.
- The number of **Text Amendments** declined slightly, which was anticipated in the 2006 report. Additional text amendments are anticipated in 2008 to address excessive variances and to incorporate recommendations provided in the upcoming Downtown Strategic Plan Update.
- Although the number of **Map Amendments** increased from 2006 to 2007, three were administrative requests due to annexations and minor corrections; one was the Grand Central Apartments Planned Unit Development.
- **Minor Subdivisions Applications** declined by 15% from 2006 to 2007 but are still up 40% from 2005. The January 2006 zoning ordinance revision reduced minimum lot sizes. However, a significant number of subdivisions resulted in the recombination of smaller parcels.
- The issuance of only 50 **Sign Permits** in 2007 demonstrates a lack of resources devoted to the enforcement and administration of sign regulations.

## Successes

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- **Public Outreach** – The Department continues to identify ways of improving public access to and increasing transparency of City planning activities and proposed development projects. Neighborhood associations and the North Central West Virginia Property Owners' Association have been included in the neighbor notifications mailed monthly for all petitions reviewed by the Board of Zoning Appeals and the Planning Commission (except minor subdivision petitions).
- **B-4 District Zoning Text Amendments** – The Department facilitated an extensive citizen participation process to develop new minimum parking standards, maximum density standards, and design criteria for the B-4 District, which were enacted by City Council.
- **Downtown Strategic Plan Update** – City Council earmarked \$75,000 to update the 1994 Downtown Strategic Plan. Main Street Morgantown will utilize \$10,000 to engage a consultant to focus on entertainment and hospitality related issues. The Planning Department will utilize the remaining funds to engage a consultant to update the strategic plan. The completion of both projects is anticipated for the second quarter of calendar year 2008.
- **Agency Collaboration** – The Department continues to identify ways of collaborating with public and private agencies whose organizational objectives are impacted by development and the City's land use policies. The Department has invited the following agencies and organizations to contribute to the Technical Review Team in evaluating potential impacts that developments may have on allied public services – Mountain Line Transit Authority, West Virginia University, Greater Morgantown MPO, and the Monongalia County School Board. This collaboration has resulted in, among other opportunities, additional fixed transit stops with shelters at new development sites. The Department serves on the MPO's Technical Advisory Committee and Mountain Line Authority's Strategic Transit Plan Steering Committee.
- **Web Access** – All planning applications and petitions have been posted on the City's website in a fillable Portable Document File (PDF) format. This has enhanced customer service by increasing access and reducing the number of customer trips to City Hall.
- **Geographic Information System (GIS)** – The Department continues to integrate GIS into its day-to-day operations, which has resulted in increased efficiencies and improved services. The following analysis and mapping projects were completed:
  - Annexation – Municipal corporate boundary spatial data was revised to reflect annexations completed in 2007.
  - Parking Authority – The public parking facilities database developed in 2006 was updated.
  - Fire Department – The incendiary structure fire database developed in 2006 was updated.
  - Sunnyside Up – Spatial data was created and assembled to generate mapping that may be used to aid decision-making by the organization.
  - Public Assistance – Several mapping projects were completed to assist various public agencies and private entities. The services were provided gratis.



## **Challenges**

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- The issue of “adequate enforcement” of the City’s Planning & Zoning Code remains a reoccurring criticism. The scale and scope of the Department’s caseload relative to new construction has greatly diminished its ability to maintain an active and effective enforcement program. Enforcement challenges include illegal signs, field inspections of new development during construction, and monitoring compliance with conditional use and variance approvals.
- The revision of the City’s Subdivision Regulations remains a high priority. However, the Department’s caseload has presented challenges to completing the task internally.
- The lack of an integrated, managed, and maintained comprehensive Geographic Information System (GIS) within the City and the County remains a significant barrier to increasing and enhancing existing planning services. Primary barriers to the development and implementation of a comprehensive GIS include:
  - Cadastral Data – The County Assessor’s Office has not transitioned from paper tax mapping to digital GIS-based tax mapping.
  - Addressing Data – The County Office of Emergency Management has been hampered by the State’s inability to complete the state-wide addressing project.
  - Interdepartmental Coordination – The lack of a GIS implementation strategy to connect databases and software across City Departments is a barrier to increasing operational efficiencies and enhancing services.
- Citizen planner training remains a critical need for members of the Planning Commission and Board of Zoning Appeals.

## **Future Initiatives**

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- The Department will request funding for the Comprehensive Plan Update currently programmed for 2008. The Department will also spearhead an effort to undertake a joint Comprehensive Plan with the County and neighboring municipalities to promote policy continuity and reduce costs.
- The Planning Department will seek funding to outsource the task of revising the City’s Subdivision Regulations.
- The Department will conduct a comparative analysis of all fees associated with planning services and seek adjustments where necessary.
- In response to the number of reoccurring variances, the Department will study and recommend zoning text amendments relating to sign regulations and the Sunnyside Overlay District design standards. The Department will also study of the feasibility of policy revisions related to a new riverfront overlay district, the definition of “family”, and “restaurant, private club” establishments.
- The Planning Department will develop and implement a training program for citizen planners appointed to City boards, commissions, and committees.
- The Planning Department will continue to adapt standard operating procedures and initiate activities that serve to streamline review processes, increase operational efficiencies, expand services, and improve customer service.