

# PLANNING DEPARTMENT

## Morgantown Land Use Planning Milestones

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- 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
- 2008 .....Downtown Strategic Plan Update initiated



## Introduction

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**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

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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 FY 2009.

**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. The Downtown Strategic Plan update project is an example of a special study that was initiated in

September 2008.

**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 Occupation applications
- Administrative appeal petitions
- Building permits applications
- Grading permits applications
- Certificates of Occupancy
- Sign permit applications
- Private Club/Wine/Tavern petitions
- 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>		
Marti Shamberger, Pres. 5 <sup>th</sup> Ward Representative	02/19/03	01/01/07 – 12/31/09
Peter DeMasters, Vice-Pres. 6 <sup>th</sup> Ward Representative	03/21/06	01/01/08 – 12/31/10
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*
Barbara Ferrell 3 <sup>rd</sup> Ward Representative	01/15/08	01/01/08 – 12/31/10
Kathryn Greever 4 <sup>th</sup> Ward Representative	07/02/07	01/01/07 – 12/31/09*
Carol Pyles 7 <sup>th</sup> Ward Representative	09/17/08	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
James Shaffer, Vice-Chair	02/07/06	01/01/07 – 12/31/09
Leanne Cardoso	08/21/07	01/01/07 – 12/31/09*
George Papandreas	02/06/08	01/01/06 – 12/31/08*
Tom Shamberger	02/06/08	01/01/08 – 12/31/10
<b>Downtown Design Review Committee</b>		
Tom Anderson	Jennifer Selin	
Bob Carubia	Steve McBride	
Michael Mills	Sam Loretta	
Constance Merandi	Terri Cutright, Ex-Officio	

*\*filling unexpired terms*

## 2008 Activities

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

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

The following table illustrates the Planning Department's caseload for reporting years 2006, 2007, and 2008.

	Number of Applications			2008 Actions			
	2006	2007	2008	Pending	Approved	Denied	W/drawn
Variances	26	41	44	2	36	0	6
Conditional Uses	13	13	19	2	12	4	1
Site Plans	22	21	28	4	23	0	1
Minor Subdivisions	41	35	23	0	21	1	1
Major Subdivisions	1	2	0	0	0	0	0
Map Amendments	5	7	7	1	3	1	2
Text Amendments	15	10	5	0	3	0	2
Administrative Appeals	1	2	1	0	0	0	1
<b>TOTAL</b>	124	131	127	10	98	6	14

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

- Approximately 795 building permit reviews from November 2007 through October 2008, which was up 7% from the 2007 reporting year (estimated 40% of the 1,987 building permits issued during this period)
- Forty-two (42) sign permits for the reporting year
- Eleven (11) Class 1 Home Occupations were approved during the reporting year
- No conditional use, Class 2 Home Occupations were granted during the reporting year
- Approximately 2,300 general planning and zoning inquiries for the reporting year
- Approximately 315 pre-application conferences for the reporting year
- Approximately 120 Department man-hours were devoted to the Westminster House PUD
- Approximately 50 Department man-hours were devoted to the Grand Central Apartments PUD
- Approximately 30 Department man-hours were devoted to the SC Bodner PUD
- Approximately 10 Department man-hours were devoted to the City's Wellness Program for the reporting year

## Observations

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The following observations relate to the Department's 2008 activities:

- **Sunnyside Neighborhood** – There was only one (1) Development of Significant Impact within the neighborhood and is currently under construction. There are a number of other potential developments of varying scales that Staff has been engaged, however the volatility seen in the national banking industry, more conservative lending standards (higher LTV, absorption rates, etc.), and student housing market saturation have been intuitively identified as contributing factors to an apparent cooling in new rental multi-family construction.
- **Planned Unit Developments (PUD)** – Status of the four (4) 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; permanent parking must be provided through construction of parking garage with in 36 months of initial occupancy; Outline Plan Amendment approved by Planning Commission in 2007 to provide flexibility in staging remaining phases; Phase II to partially construct the parking garage facility is anticipated in 2009.
  - SC Bodner – Outline Plan approved in 2006; amendment approved in 2008 with project delivery expected for Fall 2009.
  - Grand Central Apartments – Outline Plan approved in 2007; amendment approved in December 2008; approval included, among others, a condition that the Development Plan be reviewed and approved by the Planning Commission within 18 months following City Council approval of the Outline Plan.
  - Westminster House – Outline Plan approved in December 2008.
- The number of **Variance Applications** remained much higher (nearly double) than those processed in 2006. Although variances provide relief for unique situations, too many may lead to circumvention of the Planning & Zoning Code. The significant increase in variance petitions since the 2006 reporting year appears to be attributed to, in part, signage regulations and Sunnyside Overlay District design standards enacted in January 2006. The Department will continue to study the feasibility of revising these provisions to ensure that fundamental policy objectives are preserved and/or modified to reflect market realities.
- The number of **Text Amendments** continued to decline a majority of the minor adjustments resulting from the January 2006 major amendment have been addressed. Additional text amendments are anticipated in 2009 to address excessive variances and to incorporate recommendations provided in the Downtown Strategic Plan Update project that is currently underway.
- **Minor Subdivisions Applications** continued to decline and by 35% from 2007 to 2008. No common characteristic or contributing factor has been identified to explain this trend.
- The issuance of only 42 **Sign Permits** in 2008 demonstrates a lack of resources devoted to the enforcement and administration of sign regulations.

## Successes

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- **Citizen Planner Training** – The Department facilitated, for the first time in several years, two very successful workshop-style training sessions for members of the Morgantown Planning Commission and Morgantown Board of Zoning Appeals.
- **Downtown Strategic Plan Update** – City Council earmarked \$80,000 to update the 1994 Downtown Strategic Plan. The CLUE Group and Design Workshop were selected through an RFP process and the plan update project is expected to be completed in early 2009.
- **Conditional Use Approvals** – The Department has developed a quarterly system of verifying performance compliance of previously approved conditional use petitions with conditions that may were included in said approvals.
- **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).
- **Agency Collaboration** – The Department continues to coordinate the Technical Review Team which is comprised of City Departments, Allied Waste, Mountain Line Transit Authority, West Virginia University, Greater Morgantown MPO, and the Monongalia County School Board. The Department also serves on the MPO's Technical Advisory Committee and Mountain Line Authority's Strategic Transit Plan Steering Committee.
- **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:
  - Downtown Strategic Plan Study Area – the following study area data sets were created by Department Staff: existing land use (horizontal and vertical); inventory of private parking; 2006 property tax assessment; and, property ownership.
  - Fire Department – Company and apparatus response zones were revised, digitized, and mapping delivered in advance of the North Side Fire Station opening in 2009.
  - Historical – the location of structures and boundaries of districts within the City and listed with the National Registry were digitized.
  - Public Housing Authority – several analysis and mapping products were provided for various Housing Authority programs and grant applications.
  - Neighborhoods – several neighborhood boundaries were digitized based on descriptions provided by the Neighborhood Association Coordinating Council; homeownership trends in the R-1 and R-1A Districts were calculated and mapping generated.
  - Morgantown High School – Unofficial enrollment area digitized and mapping delivered.
  - Public Assistance – Several mapping projects were completed to assist various public agencies and private entities. The services were provided gratis.
- **Internship Program** – The Department “graduated” two very bright and capable interns during the reporting year who successfully obtained career-track positions in planning and public

administration – one for Arlington County, VA and the other for Putnam County, WV.

## Challenges

- The issue of “adequate enforcement” of the City’s Planning & Zoning Code and monitoring of conditions included in approvals remain a concern. 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 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.
- 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.

## Future Initiatives

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- The Department will solicit the interest and support of the County and neighboring municipalities to undertake a joint Comprehensive Plan to promote policy continuity and reduce costs. Depending on participation, the competitive RFP process is expected to begin in the third or fourth quarter of FY 2009
- 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 seek funding in FY 2010 to outsource the task of revising the City’s Subdivision Regulations.
- To build on the success of the 2008 “Citizen Planner Training” workshops, the Department will develop a basics training workshop that will be provided annually and be made available to members of planning commissions and boards of zoning appeals for Morgantown, Westover, Star City, and Monongalia County.
- The Department will conduct a comparative analysis of all fees associated with planning services and seek adjustments where necessary.
- 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.