



# 2016 ANNUAL REPORT

## Morgantown Planning Commission

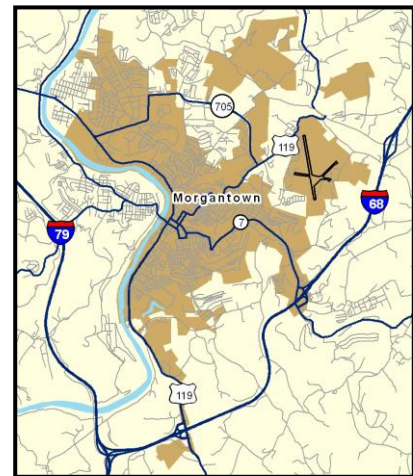
The West Virginia State Code Chapter 8A-2-11 requires Planning Commissions to:

“Make an annual report to the appropriate governing body concerning the operation of the planning commission and the status of planning within its jurisdiction.”

The Morgantown Planning Commission respectfully submits herewith its 2016 Annual Report to the Morgantown City Council.

### 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
- 1999.....Comprehensive Plan Update Adopted
- 2006.....Planning & Zoning Code Modernized and Codified
- 2010.....Downtown Strategic Plan Update Adopted
- 2013.....Comprehensive Plan Update Adopted
- 2016.....Small Area Plan – Future Study Areas No. 17



### 2016 Planning & Zoning Cases

The following table illustrates the caseload for the Planning Commission and Board of Zoning Appeals during the 2014, 2015, and 2016 calendar years.

PC	BZA	Number of Applications			2016 Actions			
		2014	2015	2016	Pending	Approved	Denied	W/drawn
Site Plans (DSI)		4	6	1	0	1	0	0
Minor Subdivisions		11	19	18	1	17	0	0
Major Subdivisions		1	0	1	0	0	0	1
Map Amendments		7	10	5	0	4	1	0
Text Amendments		3	5	8	0	8	0	0
Variances		56	80	47	1	44	0	2
Conditional Uses		13	12	16	1	11	0	4
Administrative Appeals		3	5	2	0	0	2	0
TOTAL		98	137	98	3	85	3	7

## Citizen Planners

The success of local planning policies, programming, and services depends largely on the commitment and integrity of residents appointed by the Morgantown City Council to serve on various planning-related commissions, boards, and committees. Morgantown is fortunate to enjoy a well-informed public that is willing to serve the role of "Citizen Planner." The following table identifies these volunteers and their respective terms as of December 31, 2016.

Citizen Planner	Date of Original Appointment	Current Term	Tenure (in months)
<b>Planning Commission</b>			
Peter DeMasters, President 6 <sup>th</sup> Ward Representative	03/21/06	01/01/17 – 12/31/19	128
Carol Pyles, Vice-President 7 <sup>th</sup> Ward Representative	09/17/08	01/01/16 – 12/31/18	99
Sam Loretta 1 <sup>st</sup> Ward Representative	06/20/06	01/01/15 – 12/31/17	125
Tim Stranko 2 <sup>nd</sup> Ward Representative	03/21/07	01/01/15 – 12/31/17	116
William Blosser 3 <sup>rd</sup> Ward Representative	11/05/2013	01/01/17 – 12/31/19	37
William Petros 4 <sup>th</sup> Ward Representative	01/19/10	01/01/16 – 12/31/18	83
Michael Shuman 5 <sup>th</sup> Ward Representative	08/04/09	01/01/16 – 12/31/18	76
William Kawecki City Councilor	07/02/13	City Council term ending 06/30/17	41
Dr. Ken Martis Administration Representative	05/01/01	at will of City Manager resigned FEB 2016	177
<i>PC Tenure Summary:</i>	Total: 882 mos. or 73.5 yrs.      Average: 98.0 mos. or 8.2 yrs.		
<b>Board of Zoning Appeals</b>			
Leanne Cardoso, Vice-Chair	08/21/07	01/01/16 – 12/31/18 resigned MAR 2016	102
George Papandreas	02/06/08	01/01/15 – 12/31/17	106
William Burton	12/17/2013	01/01/17 – 12/31/19	36
James Shaffer	02/07/06	01/01/16 – 12/31/18	130
Linda Herbst	1/1/2015	1/1/2015 – 12/31/17	24
Colin Wattleworth	4/12/2016	4/12/2016 – 12/31/18	10
<i>BZA Tenure Summary:</i>	Total: 408 mos. or 34 yrs.      Average: 68 mos. or 5.7 yrs.		

Tenure trends illustrated above demonstrate a high level of stability, understanding, commitment, capacity, and leadership among these volunteer committees that Morgantown is very fortunate to enjoy. It should be noted the above table does not include the brief service of Charlie McEwuen on the Planning Commission as the City Administration's representative. Mr. McEwuen attended one (1) Planning Commission meeting (APR 2016) and resigned (JUN 2016) necessitated by the enactment of Ordinance 16-23.

The following table identifies attendance trends for the 2014, 2015, and 2016 calendar years. Six (6) Planning Commission meetings were canceled during this period.

Citizen Planner	2014		2015		2016		Three-Year Attendance Rate
	Absent	Present	Absent	Present	Absent	Present	
<b>Planning Commission</b>							
Peter DeMasters 6 <sup>th</sup> Ward Representative	2	7	1	8	4	8	77%
Carol Pyles 7 <sup>th</sup> Ward Representative	0	9	3	6	3	9	80%
Sam Loretta 1 <sup>st</sup> Ward Representative	2	7	0	9	0	12	93%
Tim Stranko 2 <sup>nd</sup> Ward Representative	2	7	2	7	2	10	80%
William Blosser 3 <sup>rd</sup> Ward Representative	1	8	1	8	0	12	93%
William Petros 4 <sup>th</sup> Ward Representative	1	8	3	6	2	10	80%
Michael Shuman 5 <sup>th</sup> Ward Representative	1	8	3	6	4	8	73%
William Kawecki City Councilor	1	8	0	9	1	11	93%
Dr. Ken Martis Administration Representative	2	7	1	8	0	2	85%
Charles McEwuen Administration Representative	N/A	N/A	N/A	N/A	2	1	33%
<b>Board of Zoning Appeals</b>							
Leanne Cardoso	1	11	2	10	0	2	88%
George Papandreas	1	11	1	11	1	11	92%
James Shaffer	3	9	3	9	6	6	67%
Bill Burton	2	10	1	11	1	11	89%
Linda Herbst	N/A	N/A	2	10	3	9	79%
Colin Wattleworth	N/A	N/A	N/A	N/A	1	9	90%

## 2016 Building Permits and Construction Value

The following table identifies building permit and construction value (nominal) trends for the 2014, 2015, and 2016 calendar years as tracked and report by the City's Code Enforcement Department.

	2014		2015		2016	
	No. / Value	% Change	No. / Value	% Change	No. / Value	% Change
No. of Building Permits Issued	1,331	-9.6%	1,646	23.7%	<b>1,555</b>	<b>-5.5%</b>
Total Construction/Improvement Value	\$22,360,704	-31.9%	\$102,121,306	356.7%	<b>\$33,010,428</b>	<b>-67.7%</b>
Total Amount of Building Permit Related Fees Paid to the City	\$136,206	-8.0%	\$234,243	72.0%	<b>\$201,059</b>	<b>-14.2%</b>

## Planned Unit Developments (PUDs)

As of December 31, 2016, there have been seven (7) Planned Unit Development (PUD) Outline Plans recommended by the Planning Commission and approved by City Council. The following narrative provides a brief update on the history and status for each PUD [Article 1357.03(D)(4)(c)].

- Square at Falling Run** – PUD Outline Plan was approved in 2003. Phase I to construct “The Augusta” was completed and tenants occupied the buildings in September 2007. The Planning Division reports the developer has since filed bankruptcy and most if not all of the related realty acquired by West Virginia University. The 2013 Comprehensive Plan Update recommends a new zoning district be developed to include most if not all of the University’s realty.
- SC Bodner** – PUD Outline Plan was approved in 2006 and an amendment approved in 2008. The construction of “Mountaineer Place Apartments” has been completed and occupancy permits issued Fall 2010. The only remaining element is a gateway enhancement project within the Stewart Street and University Avenue right-of-way to satisfy the PUD’s open space requirement. The Planning Division reports Construction Business and Occupation Tax revenues generated by the development were earmarked by the Office of City Manager for this project along with a financial commitment made by “Sunnyside Up”. Project construction has been delayed by the Office of the City Manager; however, design has been completed and construction is programmed for Spring 2017 by the City’s Public Works Department.
- Grand Central Apartments** – PUD Outline Plan was approved in 2007 and an amendment approved in December 2008. The amendment approval included, among others, a condition that the PUD Development Plan be reviewed and approved by the Planning Commission within 18 months following City Council approval of the Outline Plan. The PUD Development Plan was not submitted and City Council, with the recommendation of the Planning Commission, consequentially enacted Ordinance 10-34 in September 2010 rescinding the PUD designation and reclassifying the subject realty to its previous zoning. It should be noted that the subject site and surrounding area is identified in the 2013 Comprehensive Plan Update Appendix A as a future study area.
- Westminster House** – PUD Outline Plan was approved in December 2008 and amendments approved November 2009, February 2011, October 2011, and December 2011 extending the deadline to submit the PUD Development Plan. City Council, with the recommendation of the

Planning Commission and consent of the developer, enacted Ordinance 12-48 in November 2012 rescinding the PUD designation and reclassifying the subject realty to its previous zoning. The zoning for the subject site was again reclassified to B-4, General Business District by Ordinance 13-47 in September 2013 and construction of the “Central Place Apartments” development on the subject site was completed in the Summer 2015.

- **Habitat for Humanity** – PUD Outline Plan was approved in July 2009 and an amendment approved February 2011 to extend the deadline to submit the PUD Development Plan. City Council, with the recommendation of the Planning Commission and consent of the developer, enacted Ordinance 12-03 in January 2012 rescinding the PUD designation and reclassifying the subject realty to its previous zoning. Habitat for Humanity is currently constructing single-family structures on the subject site.
- **Beech View Place** – PUD Outline Plan was approved in March 2010. Construction has been completed with full residential occupancy and the majority of the retail spaces occupied. The Planning Division reports the property was transferred in 2016 and rebranded by the new owner to “State on Campus”.
- **Glenn Ridge Apartments** – PUD Outline Plan was approved in August 2015 to construct three (3) apartment buildings with a mix of 149 one- and two-bedroom units with a maximum number of 157 occupants. As of December 31, 2016, a PUD Development Plan and accompanying building permit applications have not been submitted. The deadline to submit the PUD Development Plan is February 2017.

## **2017 Priorities & Planned Activities**

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- **Planning Commission Membership** – The City Administration’s representative on the Planning Commission remained vacant for much of 2016. The Planning Commission’s ability to conduct business was affected at times by tied votes resulting from an even number of members. Vacancies should be filled quickly to ensure continuity of and confidence in performance.
- **Collaborative Planning Initiative** – The Morgantown Planning Commission and the Monongalia County Planning Commission formed a joint “Collaborative Planning Advisory Committee” in late 2016 with the first meeting scheduled for January 2017. Although the committee will work to define its function and objectives in 2017 through quarterly meetings, the primary intent is to identify and explore common interests, issues, and opportunities toward advancing regional planning progress. This effort prioritized as Strategy LM 10.1 of the Comprehensive Plan.
- **2013 Comprehensive Plan Implementation** – Strategies NH 1.2 and ED 5.7 of the Comprehensive Plan provides for the preparation and implementation of small area studies for sixteen (16) “Future Study Areas”, which are identified in Appendix A of the Plan. The Planning Division will complete two (2) to three (3) small area studies in 2017. Several minor administratively proposed zoning text amendments will be presented to the Planning Commission in 2017 addressing frequently requested variances, clarifying regulatory intentions, and remedying potentially confusing or inconsistent provisions. Strategy LM 7.2 provides for interviewing members of the development community to identify shortfalls in the zoning code or difficulties with the development review and approval process. Following an attempt in September 2016 to engage the development community through a public workshop, Staff will work with an on-call planning consultant to facilitate one-on-one and/or group interviews.

- **2010 Downtown Strategic Plan Update Implementation** – The Planning Division, with the assistance of outsourced consulting services, is working with a steering committee to finalize comprehensive revisions to the regulations and design and performance standards for the B-4, General Business District in order to promote higher quality development in the downtown as advanced in the 2010 Downtown Strategic Plan Update. The design criteria, through the combination of text and graphics, will focus on factors such as building form, height, density, scale, materials, relationships to the street and sidewalks, and others. The project will be completed in 2017.
- **Sign Regulations** – Sign regulation management and enforcement remains a significant challenge given the scale and scope of related variances approved since 2006 and Planning Division staffing levels. The Planning Division, with the assistance of outsourced consulting services and a steering committee, will complete a comprehensive revision of the existing sign regulations intended to reduce the number of variances sought, incorporate greater sign design and development flexibility, and reduce administration and enforcement burden. The project will be completed in 2017.
- **Geographic Information System (GIS)** – The Monongalia County Assessor’s Office completed its substantial project to convert paper tax parcel mapping to GIS-based parcel mapping. The project also included a web-based GIS parcel viewer [<http://monwv.agdmaps.com/mon/>]. In 2017, the Planning Division will be editing the City’s zoning district boundaries to align with the County’s parcel boundaries. Once completed, collaboration with the County Assessor’s Office will be initiated to advance including the City’s zoning spatial data as a viewable layer on the County’s web-based Parcel Viewer. This will significantly enhance citizen and customer access to the City’s zoning classification information.
- **Citizen Planner Training** – Strategy I 2.4 of the Comprehensive Plan provides for the development of a formal training program for members of the Planning Commission and BZA focusing on land use law, meeting procedures, organization dynamics and how to use the Plan. Training opportunities have been conducted in the past by Staff and through WVU’s Land Use and Sustainable Development Law Clinic. Related training will be provided in 2017.
- **Modernization of Planning and Zoning Code Fee Schedule** – Fees associated with Planning and Zoning Code related applications and petitions have remained the same for at least two (2) decades. For instance, during the period of 01 JUL 2011 to 30 JUN 2014, Planning and Zoning Code related fees covered only 4.6% of service delivery costs. Under the direction of the Office of the City Manager, Staff will develop fee schedule revisions in 2017 for consideration to better support service delivery costs.
- **Modernization of Subdivision Regulations** – The Planning Commission and City Council completed the lengthy task of modernizing and codifying the City’s zoning regulations in 2006. The fundamental purpose of this endeavor was to implement progressive land use policies and strategies as well as comply with the State Legislature’s similar effort in 2004 to modernize the State’s Planning Enabling Law. Changes in State Code have created opportunities to streamline the review and approval of subdivision petitions. Incorporating these opportunities in Morgantown’s Planning and Zoning Code requires a major amendment to the City’s subdivision regulations. This project remains a priority and requires General Fund support to outsource the project. The Planning Division will continue to request project funding.