

INTRODUCED BY:

Frank A. Mullens, Jr., Mayor

ORDINANCE NO:

2377

REFERRED TO:

APPROVED ON:

06/18/26

AN ORDINANCE TO ENACT ARTICLE 1301 OF THE CITY CODE OF THE CITY OF SOUTH CHARLESTON AND TO ADOPT THE COMPREHENSIVE PLAN

WHEREAS, the Municipal Planning Commission of the City of South Charleston (“MPC”), assisted by Laura Cox Planning & Design, PLLC, worked diligently on a new comprehensive plan for the City of South Charleston for the purposes of, and in compliance with, the provisions of West Virginia Code Article 8A-3; and

WHEREAS, the process of drafting this comprehensive plan was lengthy, included several public hearings, and involved a social media campaign to solicit input, which resulted in more than eight hundred comments that were considered; and

WHEREAS, the MPC conducted a public hearing and approved the comprehensive plan on April 15, 2026; and

WHEREAS, the MPC presented the comprehensive plan to City Council during the regular City Council Meeting on May 21, 2026, during which a duly noticed public hearing was conducted, and the City now seeks to adopt such comprehensive plan; and

WHEREAS, Article 1301 of the South Charleston City Code, entitled “Comprehensive Plan,” should be enacted to adopt the comprehensive plan, which is substantively set forth in the Exhibit to this ordinance, and to guide future land use planning and zoning;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SOUTH CHARLESTON, WEST VIRGINIA, THAT ARTICLE 1301 BE ENACTED IN PART THIRTEEN – PLANNING AND ZONING CODE, CHAPTER ONE – ZONING ADMINISTRATION, TO READ AS FOLLOWS:

ARTICLE 1301 Comprehensive Plan

1301.01 PURPOSE.

Pursuant to West Virginia Code Article 8A-7, City Council may regulate land use within the City by adopting a comprehensive plan, working with the Municipal Planning Commission and the public to develop a zoning ordinance, and enacting a zoning ordinance. The comprehensive plan is a guide for the City to accomplish a coordinated and compatible development of land and improvements within the City, in accordance with present and future needs and resources, and consistent with the purposes of comprehensive planning set forth in West Virginia Code Article 8A-3.

1301.02 COMPREHENSIVE PLAN ADOPTION.

The comprehensive plan approved by the Municipal Planning Commission on April 15, 2026, and presented to City Council on May 21, 2026, is hereby adopted by reference and made a part hereof as if fully set forth in this article in accordance with West Virginia Code

8-11-3 and 8A-3-8. No comprehensive plan adopted prior to the effective date of this section shall limit future land use regulation.

1301.03 AMENDMENTS; AFFECT ON ZONING ORDINANCE.

(a) The comprehensive plan may be amended consistent with the procedures set forth in West Virginia Code Section 8A-3-11.

(b) Zoning ordinance amendments shall be consistent with the comprehensive plan and comply with the provisions set forth in West Virginia Code Article 7. Notwithstanding the placement of this article and any provision in Part Thirteen of City Code to the contrary, this article is not part of and does not modify the City's zoning ordinance that is set forth in the other articles of Part Thirteen of this code.

1301.04 COPIES OF COMPREHENSIVE PLAN.

The comprehensive plan shall be filed with the office of the Kanawha County Clerk pursuant to West Virginia Code 8A-3-9. The City Clerk shall keep a copy of the comprehensive plan. The comprehensive plan shall be available for public inspection during regular office hours.

1301.05 PLANNING COMMISSION DUTIES.


The Municipal Planning Commission shall periodically review the comprehensive plan, follow the comprehensive plan, and propose updates to the comprehensive plan to City Council at least every ten years.

This ordinance shall take effect immediately upon passage.

The City Clerk is directed to file a copy of the adopted comprehensive plan in the office of the Kanawha County Clerk.

ATTEST:


Margie Spence, City Clerk


Frank A. Mullens, Jr., Mayor

This ordinance was prepared by Moore & Associates PLLC, City Attorney.