

**AN ORDINANCE AMENDING ARTICLE 1301 OF THE MORGANTOWN PLANNING AND ZONING CODE PERTAINING TO THE COMPREHENSIVE PLAN FOR THE PHYSICAL DEVELOPMENT OF THE CITY OF MORGANTOWN; TO DELETE REFERENCES TO THE 1998 COMPREHENSIVE PLAN; AND, TO ADOPT THE 2013 COMPREHENSIVE PLAN.**

WHEREAS, West Virginia State Code Chapter 8A, Article 3 provides for municipalities to prepare and adopt comprehensive plans to promote the health, safety, morals, order, convenience, prosperity, and general welfare of the inhabitants, as well as efficiency and economy in the process of development;

WHEREAS, thinking both locally and regionally, the City of Morgantown undertook a collaborative process in developing a unified Regional Vision entitled "Crossroads – It's Time to Chart Our Future" to coordinate land use and transportation planning, which serves as the foundation for three plans – the City of Morgantown's Comprehensive Plan, the Town of Star City's Comprehensive Plan, and the Morgantown-Monongalia Metropolitan Planning Organization's Long-Range Transportation Plan; and,

WHEREAS, the Morgantown Planning Commission has caused to be prepared a Comprehensive Plan Update and has duly recommended said plan to City Council for consideration and action thereon.

NOW, THEREFORE, BE IT ORDAINED by the Morgantown City Council that Article 1301 of the Morgantown Planning and Zoning Code be amended as follows (deleted matter struck through; new matter underlined):

ARTICLE 1301  
Comprehensive Plan

1301.01 TITLE.

This article shall be known and may be cited as, the "Comprehensive Plan".

1301.02 PURPOSE OF ARTICLE.

The purpose of this article is to establish a single unified code consisting of all plans, reports and regulations and supplemental details as contained and specifically referred to in the reports of the Planning Commission as described in Section 1301.03, that deals with the subject of planning and zoning, as a comprehensive guide for the future growth and development of the City.

1301.03 PLAN COMPOSED OF REPORTS ADOPTED BY REFERENCE.

The Comprehensive Plan consists of:

- (a) A report entitled "The City of Morgantown Comprehensive Plan, 1998 2013", dated ~~November 23, 1998~~ April 25, 2013.
- (b) The above report is hereby adopted as the "Comprehensive Plan Ordinance of Morgantown, West Virginia, ~~1998 2013~~", 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 ~~8-24-21~~ 8A-3-8.

1301.04 INCORPORATION OF OTHER ORDINANCES.

All ordinances which have heretofore or may be hereafter enacted concerning the subjects of the Comprehensive Plan as described in West Virginia Code ~~8-24-17~~ 8A-3-4 and 8A-3-5 shall also be deemed to be parts of the "Comprehensive Plan of Morgantown, West Virginia, ~~1998 2013~~".

1301.05 CONFORMITY TO PLAN.

The layout, the location, relocation, extension or widening of thoroughfares; the general design of neighborhoods and their street patterns; the use of land; and the location of sites for schools, parks, recreation and other public uses, shopping centers and community facilities and other recommendations shall conform to the principles, policies and provisions of the Comprehensive Plan.

1301.06 CONSIDERATION OF PLAN PRIOR TO CONSTRUCTION OF PUBLIC INSTALLATIONS.

Council and all municipal boards, commissions and all other agencies of the City shall be guided by and give consideration to the general policy and pattern of development set out in the Comprehensive Plan prior to the authorization, construction, alteration and abandonment of any public installation, required or necessitated in the interest of the physical development of the City.

1301.07 AMENDMENTS.

The Planning Commission shall from time to time consider and review proposals with respect to changes and amendments in the Comprehensive Plan and upon conclusion of such consideration, including a public hearing thereon, shall certify to Council their report on such matters. Amendments shall be in accordance with West Virginia Code ~~8-24-23~~ 8A-3-11.

1301.08 WHERE COPIES KEPT ON FILE.

The Office of the City Clerk shall, upon adoption, file the Comprehensive Plan in the Office of the Clerk of Monongalia County in accordance with West Virginia State Code 8A-3-9. Two copies of the Comprehensive Plan as set forth in Section 1301.03 shall be kept on file in the offices of the City Planning Commission and City Clerk and be available for public inspection during the regular office hours.

1301.09 COOPERATION OF OTHER BODIES IN EFFECTUATION OF PLAN.

The Planning Commission is hereby directed to solicit the cooperation of the legislative and administrative bodies of the County, the State and agencies of the Federal Government in the effectuation of the Comprehensive Plan as it applies in the official jurisdictional area of the Commission and in the unofficial planning area outside of this City, as shown in the Plan.

This ordinance shall be effective upon date of adoption.

FIRST READING:

\_\_\_\_\_  
Mayor

ADOPTED:

FILED:

RECORDED:

\_\_\_\_\_  
City Clerk