

# Mountain State Land Use Academy

May 17, 2022

4:00 p.m. to 5:30 p.m. - West Virginia APA Meeting

6:00 p.m. to 8:00 p.m. - Cocktail Hour

May 18, 2022

8:30 a.m. - Registration

9:00 a.m. - Opening Plenary – Planning for the Apocalypse

9:50 a.m. - Keynote: Rural Housing - Mel Jones

10:40 a.m. - Awards

11:00 a.m. to 11:15 a.m. - Break

11:15 a.m. Breakout Session 1

- Lessons Learned: West Virginia Open Meetings During a Global Pandemic
- Recreation Plans
- Subdivision and Land Development Ordinances

12:05 p.m. - Lunch/Networking

1:30 p.m. - Breakout Session 2

- Power of Storytelling
- Resilient Community Skills
- West Virginia Land Use Law Update

2:30 p.m. - Breakout Session 3

- Broadband, Local Governments, and the Law
- Historic Preservation Pitfalls
- Unpacking West Virginia Land Use Tools

3:20 p.m. to 3:35 p.m. - Break

3:35 p.m. - Concluding Plenary - Eat, Drink, and Be Memorable

4:30 p.m. to 6:00 p.m. - Reception with Local Food and Beverages

# Session Details

## **Opening Plenary – Planning for the Apocalypse**

Local governments in West Virginia have had to deal with many different types of emergencies in the past ten years. The derecho, flooding, and the current pandemic are just some of the emergencies that have put a strain on local government staff and resources. Other possible issues include snow/ice storms, wildfires, active shooters and train derailments. What can local governments do to prepare for emergencies in the future? What tools and resources are at their disposal? How can municipalities partner with county officials to plan and prepare for emergencies?

*Presenters: Christy DeMuth, Jesse Richardson*

## **Keynote – Rural Housing**

Housing issues confront communities large and small, urban and rural, across the country. The lack of affordable, attainable, quality housing inhibits community economic development and individual well-being and opportunity. Resources rarely focus on the unique dimensions of rural housing, however. This keynote highlights the most pressing rural housing issues and best practices and provides the beginnings of a road map to address rural housing issues.

*Speaker: Mel Jones*

## **Breakout Session #1**

### **Lessons Learned: West Virginia Open Meetings During a Global Pandemic**

State and local governments have been greatly impacted by the COVID-19 pandemic. While safety and prudence were important considerations, there was a need for government to continue functioning. Not only did government continue to provide services, but it had to conduct official business in a transparent way and in adherence of the Open Governmental Meetings Act. Hear how officials continued to meet during the pandemic, how they adjusted meeting protocol in the midst of the pandemic and learn about how some communities used technology and creative solutions to ensure meetings were efficient while still in compliance with the state's sunshine laws.

*Discussion Leader: Ryan Simonton*

*Moderator: Jared Anderson*

## **Recreation Plans**

Maximizing all that West Virginia has to offer in terms of recreation for both local citizenry and visitors alike involves extensive planning at the state, regional, and local level. This session examines the various forms of recreation planning— from WV SCORP and regional and local recreation plans to recreation components within traditional comprehensive plans — to understand the role of each and inform the local efforts that bring much of these plans to life.

*Discussion Leaders: Jim Christie, John McGarrity*

*Moderators: Kat Garvey, Whitney Morgan*

## **Subdivision and Land Development Ordinances**

A Subdivision and Land Development Ordinance (SALDO) is an ordinance that regulates how the land is physically divided and developed in a municipality or county. SALDOs must address a long list of issues, including streets, sidewalks, stormwater management, water and wastewater, green space, recreational trails, and parks. In this session, we will discuss the necessary steps to enact a SALDO, including criteria and a definition for Major and Minor Subdivisions, the required contents of a SALDO, and the application process once a SALDO is enacted.

*Discussion Leaders: Jennifer Brockman, Melissa Scott*

*Moderators: Christy DeMuth, Jesse Richardson*

## **Breakout Session #2**

### **Power of Storytelling**

Whether writing grants or a marketing plan, effective communication is essential for local government success. Panelists have expertise communicating with various local government audiences including out-of-state tourists, existing businesses, and funders such as federal agencies and foundations. The session will explore strategies to recognize a community's assets, identify the audience, and develop a story. In addition to learning about specific effective communication skills, attendees will learn about success stories in West Virginia related to business retention, attracting tourism, and main street development.

*Discussion Leaders: Rita Colistra, Terrell Ellis, Allison Smith*

*Moderators: Kat Garvey, Christy DeMuth*

### **Resilient Community Skills**

Syncing resilient community characteristics with West Virginian examples of success, an expert panel explores the potential to improve community resilience through holistic planning, local collaboration, creative solutions, meaningful community engagement, and forward mindedness.

*Discussion Leaders: Mayor Anne Cavalier, Breanna Shell, Ray Moeller, Rickie Yeager*

*Moderators: Jared Anderson, Whitney Morgan*

### **West Virginia Land Use Law Update**

Experienced West Virginia land use attorneys will discuss the latest case law and legislative updates in this session. Recent significant court cases at the federal and state level have addressed regulatory takings, zoning, and the connection between the Second Amendment and zoning. Recent legislative developments impact local regulation of energy production, agritourism, and short-term rentals. All of these issues will be discussed as they impact West Virginia communities.

*Discussion Leaders: Britt Ludwig, Ryan Simonton*

*Moderator: Jesse Richardson*

## **Breakout Session #3**

### **Broadband, Local Governments, and the Law**

What is the role for local government when the community has a vision to expand broadband access? This session will discuss the different hats a local government may wear as landowner, partner with internet service provider, and regulator.

*Discussion Leaders: John Golden, John Stump, John Tuggle*

*Moderators: Jared Anderson, Kat Garvey*

### **Historic Preservation Pitfalls**

“Pitfall, n. a danger not easily recognized.” This session highlights the all-too-common misunderstandings of local historic preservation. Distinct from federal and state historic preservation efforts, local historic preservation involves different requirements and functions. Moreover, local historic preservation may involve Historic Landmarks Commissions, zoning, or both, but each method similarly must adhere to a distinct set of requirements and functions.

*Discussion Leaders: Mayor Beverly Keadle, Whitney Morgan*

*Moderator: Jesse Richardson*

### **Unpacking West Virginia Land Use Tools**

West Virginia enables a wide variety of land use tools including comprehensive plans, zoning ordinances, subdivision and land development ordinances, and other regulatory and non-regulatory approaches. With new and unique issues to address, even experienced planners struggle to identify which tool or combination of tools most effectively addresses the issues. Complicating the issue, enabling authority and preemption may rather arbitrarily limit the use of some tools. This session engages participants in a discussion of how to address unique issues most effectively while shielding the local government from liability.

*Discussion Leaders: Janney Lockman, Shae Strait*

*Moderator: Christy DeMuth*

### **Concluding Plenary - Eat, Drink, and Be Memorable**

Sure to be a bubbly conclusion to the conference, this session on food and drink tourism offers truly experiential learning on the appeal of adventuring to taste new drink and fare in the Mountain State. Beyond understanding the range of opportunities within West Virginia and the legal and planning issues affecting its development, local entrepreneurs will share their stories and engage in Q&A. Local products will be available immediately after the session at the reception. Come taste the tourism

*Discussion Leaders: Alex Durand, Andrew Robinson, Dee Singh-Knights*

*Moderators: Jared Anderson, Whitney Morgan*