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## PART THIRTEEN — PROJECT AND ZONING CODE

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### ARTICLE 1311 Residential District; Uses

- 1311.01 Designation of Residential District.**  
**1311.02 Uses allowed.**

#### CROSS REFERENCES

Zoning districts generally—see WV Code 8A-7-1 *et seq.*

**1311.01 Designation of Residential District.**

Residential zoning classification (R) is intended to provide neighborhoods and living accommodations to residents, businesses and visitors in a manner consistent with the goals of the Comprehensive Plan. All of the incorporated areas of the Town not otherwise designated are hereby declared to be included in a Residential District.

**1311.02 Uses allowed.**

- (a) Permitted uses.
- (1) One Single Family Dwelling Unit per Lot but excluding tents, cabins and House Trailers or mobile homes, except that not more than one trailer or mobile home may be temporarily used as a residence on a Lot while a dwelling is being constructed thereon, but such excluded use shall not be continued for more than one year.
  - (2) Short-term Rentals, including Bed and Breakfast Inns, vacation rentals, or Hostels; providing they (a) obtain valid business licenses; (b) pay all applicable taxes, including Business and Occupation, Sales and Use, and Room Occupancy taxes; and (c) abide by Town ordinances applicable to all properties within the residential zone, including parking, noise, and lighting restrictions.
  - (3) Any Home-Based Business, provided it: (a) is maintained by the resident and having no more than one non-resident employee or daily worker on Site, (b) does not require any extension or external modification of the dwelling or Accessory Structure(s), and (c) does not involve any outward evidence of such Use other than one Sign that otherwise complies with Article 1316 Signs.
- (b) Conditional Uses. The following Conditional Uses may be authorized upon application to the Board of Zoning Appeals for a Conditional Use Permit as long as any proposed Conditional Use will not be detrimental to other Permitted Uses in the Residential District or to Abutting Lots in the Business District
- (1) Religious Institution, Education Facility, public Library, public Museum, Community Center, Public Services (Police or Fire) Facility, Association Hall, publicly-owned Park, or publicly-owned playground provided that such use is consistent with the residential nature of the neighborhood.
  - (2) Residential Care Facility, provided it is owner-occupied, with (a) no more than four bedrooms for use by residents of which one bedroom may be in an Accessory Structure that includes toilet and bathing facilities; (b) no more than eight residents at one time; and (c) no more than two resident guests to a bedroom, provided that such Use is consistent with the residential nature of the neighborhood and follows the constraints of a Home-Based Business and

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#### HISTORY:

Ord. 2015-02 (passed 01-29-2015, effective 02-16-2015) superseded all previous zoning and related ordinances to bring the Town into compliance with current WV Code. Ord. 2015-02 was further refined by Ord. 2015-07 (passed 07-13-2015) and Ord. 2017-01 (passed 02-25-2017).

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provided that at least one Off-Street Parking space is available for every two occupied bedrooms. <sup>[1311.02]</sup>

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### FOOTNOTES:

1311.02 Ord. 2021-08 (passed 11-08-2021) amended this section to bring it into compliance with WV Code § 8-1-5a.

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