

ORDINANCE 329

**AN ORDINANCE OF THE COMMON COUNCIL OF ELKINS, WEST VIRGINIA
AMENDING SECTION OF CITY CODE, CHAPTER 152, ZONING, REGARDING
USE DEFINITIONS**

WHEREAS, the Common Council previously adopted a zoning ordinance which is codified in City Code Chapter 152, Zoning; and

WHEREAS, following the enactment of the zoning ordinance it has become apparent that there are several “use” definitions that should be added to promote the purposes of zoning, and

WHEREAS the Elkins Planning Commission has met and reviewed the instances where there are no “use” definitions for a building or facility which will or may be constructed within the City; and

WHEREAS, the Elkins Planning Commission has voted, pursuant to City Code §152.04, thereby recommending to the Common Council that certain designated sections of Chapter 152; Zoning, only concerning “use” definitions along with corresponding tables be amended; and

WHEREAS it appears that the Elkins Planning Commission has made this recommendation in furtherance of its authority and responsibilities to advise Council of any proposed amendments to Chapter 152: Zoning; and

WHEREAS, the Common Council has determined that by accepting the recommendation of the Elkins Planning Commission it is in the best interest of the citizens of the City.

NOW THEREFORE BE IT ORDAINED and ENACTED by the Common Council that City Code, Chapter 152: Zoning, be amended to add the following new use definitions:

§ 152.056 Definitions

“Conference center” means a building or part of a building designed to host conventions, trade shows, exhibits, assemblies, meetings, and similar events, and may include large and small halls and meeting rooms. Services associated with meetings and events, such as catering, meal service, bar service, and related accessory uses and services shall also be permitted.

“Coworking space” means a room or rooms which may contain desks or other workspaces and facilities and is used by entrepreneurs, small teams, and/or employees of multiple companies to work on their own projects. Rules for membership and participation in the coworking space are explicit, transparent and are available to the public. Coworking spaces may host classes or networking events which are open either to the public or to current and prospective members. Fabrication tools are limited to those which do not generate noise or pollutants in excess of what is customary within a typical office environment.

“Museum” means a building or part of a building that displays, preserves, and/or exhibits objects of community and cultural interest in one or more of the arts and sciences, intended to be used by members of the public for viewing, with or without an admission charge.

§152.092 Conditional Uses in City Residential (R-2) District

The following shall be added to the list of conditional uses in City Residential (R-2) District:

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| Museum |
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§152.111 Permitted Uses in the Central Business (CBD) District:

The following shall be added to the list of uses permitted by right in the Central Business District (CBD):

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|-------------------|
| Conference Center |
| Coworking Space |
| Museum |

§152.121 Permitted Uses in the Commercial (B-1) District

The following shall be added to the list of uses permitted by right in the Commercial (B-1) District:

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|-------------------|
| Conference Center |
| Coworking Space |
| Museum |

§152.131 Permitted Uses in the Educational (E) District:

The following shall be added to the list of uses permitted by right in the Educational (E) District:

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| Museum |
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The changes to Chapter 152: Zoning are only to the sections referred to herein and all other sections of said Chapter shall remain in full force in effect.

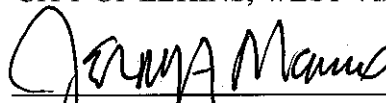
If any portion of this Ordinance shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and Common Council determines that it would have adopted this Ordinance without the invalid provision.

This Ordinance shall become effective upon passage.

PASSED AND APPROVED ON THE FIRST READING: May 2, 2024.


PASSED AND APPROVED ON FINAL READING: May 16, 2024.

CITY OF ELKINS, WEST VIRGINIA



 Jerry A. Marco, Mayor

Attest:



 Sutton Stokes, City Clerk