

includes a definitions section, regulations regarding non-conforming uses, area and height requirements, setbacks, and

administration procedures. The zoning map of the town delineates seven zoning districts as shown on

Figure 1: Town of Alderson Zoning Map.

The districts are:

- ◇ Historic overlay (H)
- ◇ Residential (R-1)
- ◇ Business/Residential (R-2)
- ◇ Business (B-1)
- ◇ Neighborhood Business (B-2)
- ◇ Industry (I)
- ◇ Open Space/Conservation (O/C)

The town expects to completely update the zoning ordinance after adoption of this comprehensive plan.

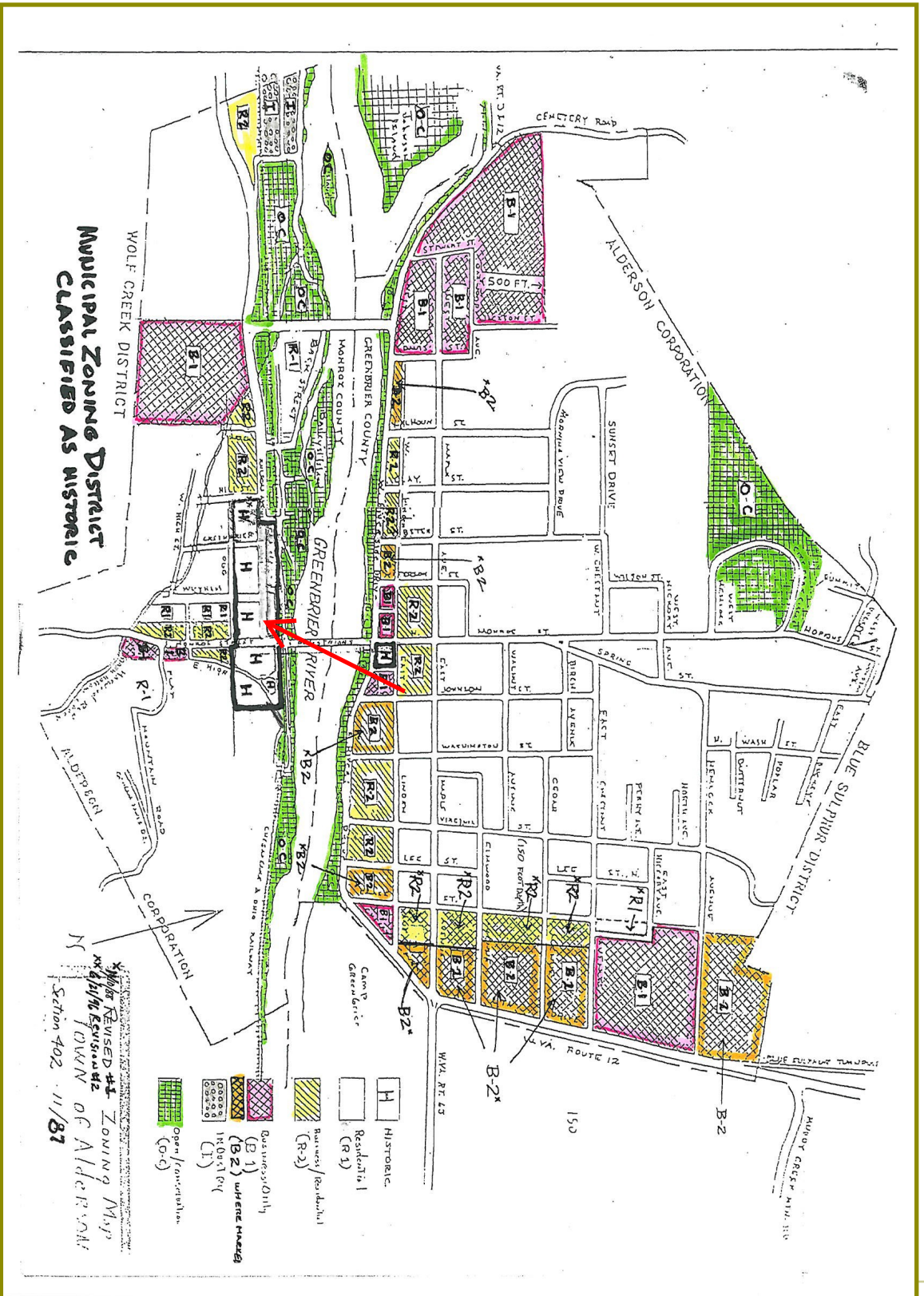


Figure 1: Town of Alderson Zoning Map

Section 601: R-1 Residential District

This district is designed to promote public health, safety, comfort, convenience, prosperity and other aspects of the general welfare.

A building may be erected, altered, or used and a lot may be used or occupied for any of the following purposes, and no other:

1. One-family dwelling.
2. Home occupation-see definition in Section 202.
3. Any use customarily accessory to the above listed uses.
4. The following use when authorized as a special exception by the Zoning Board of Appeals and subject to the general standards prescribed in Article IX, Section 909 of the Ordinance.
 - a. Cemeteries.

Section 602: R-2 Residential District

This district is established to provide decentralized areas for the limited retail sales of goods and for personal services, recreational, and institutional establishments which provide the everyday necessities and conveniences for local residents. This district is intended to permit only those non-residential commercial uses of land and structure which blend smoothly into the character of adjoining residential areas in the district.

A building may be erected, altered, or used and lot may be used or occupied for any of the following purposes, and no other:

1. Any use permitted in R-1 Residential Districts.
2. Multiple dwelling or apartment house.
3. Professional offices.
4. Non-commercial recreational uses, golf courses, swim clubs, etc.
5. Schools, churches, and semi-public uses.
6. Convalescent homes, nursing homes, and related medical uses.
7. Attached or row-type structures.
8. Housing for the elderly and handicapped.

(Revised 12/2009 and 07/2013)

signed B1

is in Historic dist. 6-1

4. Schools, churches, and semi-public uses.
 5. Convalescent homes, nursing homes and related medical uses
 6. Attached or row-type structure
 7. Housing for the elderly and handicapped
- (revised 12-09)

Section 603: B-1 Business District (Central Business District)

This district makes provision for general and highway-oriented retail, commercial, and business services serving the needs of the local area and the larger community.

A building may be erected, altered or used and a lot may be used or occupied for any of the following purposes, and no other:

1. Any use permitted in R-2 Business/Residential District subject to all the provisions specified for such districts except that no store front may be occupied or modified for occupancy as a residence. No new residential structure may be erected in B-1 Business District without special exception by the Board of Zoning Appeals and subject to the general standards prescribed in Section 909.
2. Stores and shops for the conducting of any retail business.
3. Personal service shops such as laundries, beauty shops, and barbers, etc.
4. Banks, offices, studios.
5. Shops for custom work making articles or products to be sold at retail on the premises.
6. Restaurants, cafes, tea rooms, and similar establishments.
7. Theaters, assembly halls, billiard or pool parlors, bowling alley, any public recreation use.
8. Hotels, motels, etc.
9. Motor vehicle salesroom.
10. Garage or filling station.
11. Undertaking establishment.

12. Railway or bus passenger station, telegraph office, express office, electric substation, printing plant.
13. Wholesale business. Storage in bulk of, or warehouse for, such material as building material, clothing, cotton, drugs, dry goods, food, furniture, hardware, ice, machinery, metals, oil and petroleum in quantities less than tank car lots, paint and paint supplies, pipe, rubber, shop supplies, tobacco or wood.
14. Accessory buildings and accessory uses.
15. Any use of the same general character as any of the above permitted uses.

Section 603A: B-2 Neighborhood Business District

This district makes a provision for decentralized areas for the retail sales of goods and for personal services, recreational and institutional establishments which provide everyday necessities and conveniences for local resident. This district is intended to permit only those non-residential commercial uses of land and structures which blend smoothly into the character of adjoining residential or other areas in the district. Any commercial establishment which occupies property in this district shall be required to adequately safeguard any adjacent property which is occupied as residential use at the time commercial occupancy takes place. Such safeguards shall include, but are not limited to harmonious design of buildings, aesthetics, planting and its maintenance as a sight or sound screen, landscaping, hours of operation, lighting, numbers of persons involved, allied activities, ventilation, noise, sanitation, safety, smoke and fume control and the minimizing of noxious, offensive or hazardous elements.

A building may be erected, altered or used and a lot may be used or occupied for any of the following purposes and no other:

1. Any use permitted in R1/R2 Residential Districts, subject to all provisions specified for such Districts. Any residence built adjacent to any existing adjoining business must provide its own screens or safeguards to its satisfaction.
2. Personal service shops.
3. Business or professional offices.
4. Restaurants, delicatessens and similar establishments.
5. Hotels, motels, Bed and Breakfast Inns.
6. Undertaking establishments.

7. Banks and financial institutions.
8. Accessory buildings and accessory uses
9. Stores and Shops for the conducting of any retail business, except the following, which are prohibited:
 - a. the sale of alcoholic liquors, wine, beer or similar beverages for consumption on the premises;
 - b. private clubs, bars, arcades, game machine establishments, billiard or pool parlors, or similar establishments;
10. Filling stations, automobile or truck dealerships or repair shop establishments may be allowed only by special exception.

Section 604: I - Industrial Districts

This is designed to permit the orderly development of industry where land of adequate size and slope is available and serviced by highway or rail access. It is also the intent of these districts to encourage the location of industry in these districts to strengthen the economic base of the Municipality while preserving community values of health and safety.

No structure or premises shall be used, and no structure or part of a structure shall be erected, which is arranged, intended or designed to be used, in whole or in part, for any purpose except the following provided that the requirements of Section 502 of this Ordinance are complied with:

1. Manufacturing, assembling, converting, altering, finishing, cleaning, or any other processing, handling, or storage of products or materials.
2. Research, design and development laboratories.
3. Wholesale storage and warehousing.
4. Building materials and equipment storage yards.
5. Any use of the same general character of any of the above permitted uses.

Section 605: O-C Open Space and Conservation Districts

O-C Open Space and Conservation Districts are designed to protect the natural resources and to encourage the preservation of sizeable hilly, stream and river valley, and wooded areas of the Municipality, for conservation, recreation and other open spaces, water-related, or historic purposes. Therefore, the regulations are intended to control permitted development so as to prevent construction which would detract from the appearance, increase the hazard

of fire or flooding, or be detrimental to the environmental character of the area. A building may be erected, altered or used and a lot may be used or occupied for any of the following purposes and no other:

1. Woodland, game preserve, stream, valley, or river bank conservation and stabilization, or other conservation uses.
2. Agricultural uses.
3. Public park or recreation area owned and operated by a governmental agency.
4. Public park or recreation area operated by a private agency; or a private park or recreation area operated by a private agency; only when authorized by a special exception.

Section 606: H Historic District

This district is designed to preserve and protect the historical integrity and character of particular structures, sites and areas in the district by regulating the renovation of existing structures and sites, the type of architecture and design used in new construction, and such other requirements or restrictions as would be necessary and reasonable. The district as designated in this Ordinance shall be as follows:

1. The area bounded by North Monroe Street, East Linden Avenue, East Riverview Drive and the north-south alley between North Monroe Street and Johnson Street. The area within the perimeter established by the aforementioned streets, avenues and alley shall be considered as in the "Municipal Historic District."
2. The area south of the Chesapeake and Ohio Railway tracks (CSX Transportation), including the C & O Depot and Plaza, extending east to the Marshall Property including lot 113, extending south along the foot of Flat Mountain to the property of C. L. Lobban and extending west to the east-west alley beside the Alderson City Hall and continuing along that alley west to Greenbrier Street, and from there extending north to the C & O Railway tracks. The perimeter established by the aforementioned tracks, streets, alley, avenue and properties shall be considered as in the "Municipal Historic District."
3. The area inclusive between Greenbrier Street and Hill Street, bounded on the north by Railroad Avenue and to the south by an imaginary line extending west from the center of the east-west alley (which terminates at the east side of Greenbrier Street) and continuing to the east side of Hill Street, where such imaginary line shall terminate, shall also be considered as in the "Municipal Historic District." (language added 09/2010 pursuant to an amendment to the Zoning Ordinance passed on June 21, 1996)

606.1 The following shall be prohibited uses in the Municipal Historic District:

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* See 6-5-A for Item 3

606.1 The following shall be prohibited uses in the Municipal Historic District:

1. There shall be no billiard or pool parlors, bars, private clubs, arcades or game machine establishments.
2. There shall be no consumption on the premises, except in restaurants to dining patrons.

3. There shall be no filling stations, automobile or truck dealerships or repair shop establishments.

606.2 In addition to being classified as Class H Districts, the aforementioned areas shall also fall within the requirements of Class B-1 and should there be any conflict between the requirements of the classes, the most stringent requirements shall be followed.

606.3 Precedent to any construction, renovation, erection, removal, restoration or change involving any structure or site within the Historic District, including signage, the owner of the property or his representative shall apply to the Architectural Review Committee for a Certificate of Appropriateness, and as a part of the application process shall supply a set of plans, including site and elevation plans drawn to scale, along with adequate explanation of same to the Committee for review. No site, location, use, or building permits shall be issued for the project precedent to such review and until a decision and Certificate of Appropriateness is issued by the Architectural Review Committee.

606.4 There is hereby established an Architectural Review Committee of the Alderson Municipal Planning Commission. Membership shall consist of five (5) voting members of the Planning Commission which shall be appointed by the Chairman of the Commission, subject to confirmation by the Town Council to serve in that capacity, and their terms shall be concurrent with their term as a member of the Planning Commission. Meetings shall be twice yearly and special meetings may be called by the Chairman as needed. The Committee may set forth rules for its operation so long as they do not conflict with law. Minutes and full records of all meetings and actions shall be kept.

The Architectural Review Committee shall have the power and duty to approve, conditionally approve, or disapprove with cause, all plans submitted for projects that lie within the Historic District. The findings and decisions, including the conditions if a conditional approval, shall be issued by the committee in writing within (10) days following the meeting at which the decision is made. The applicant shall be given at least 48 hours notice prior to the meeting of the Committee at which his application and plans shall be discussed and considered, and he shall have the right to be present at such meeting and be heard with respect to his application and plans. The Committee may meet in executive session to discuss legal matters or any matter so allowed by law, but any vote or action must be taken in an open public meeting. The initial meeting to consider or discuss the application shall be within ten (10) days following receipt of the application and plans.

Upon approval, or conditional approval of the application and plans as presented, the Chairman of the Committee shall issue or cause to be issued a "Certificate of Appropriateness" to the applicant. In the event the Committee disapproves the application and plans, a letter so stating such disapproval and the reasons therefore shall be sent to the applicant as soon as possible, by Certified Mail. The Chairman of the Committee shall also

notify the Zoning Officer and the Building Permit Officer of the Committee's decision, and only upon the receipt of an affirmative notice shall a location, use, or building permit be issued to the applicant by the appropriate officials. A copy of the plans as submitted by the applicant to the Committee, along with the application and all pertinent information submitted for consideration in the matter will, be made a part of the Committee's records.

Failure to comply with the plans as approved or conditionally approved by the Committee shall result in revocation of the Certificate and shall additionally be declared as a violation of the Zoning Ordinance and shall be handled as any other violation of this Ordinance as provided in Section 1101 et seq of this Ordinance.

606.5 The Architectural Review Committee shall use as the basis for its decisions and considerations, "The Secretary of the Interior's Standards for Historic Preservation Projects" as issued by the US Department of the Interior as shown in Section 606.6 of this ordinance.

Maintenance of the character of the Historic District is to be given the utmost consideration as the Committee reviews applications and plans and issues decisions related thereto.

When new construction or erection or relocation of a structure or an addition to an existing structure is proposed within the Historic District, the Committee shall evaluate the proposal, application and plans based upon the "appropriateness" of the architectural style, design, or method of construction, or location as it relates to existing nearby structures, sites or features, in order to ensure harmony and compatibility will exist within the area and its environment. Such provision shall not preclude erection of a structure of contemporary design, but shall ensure that the size, location and design would be complementary to the surrounding buildings, area and sites.

The burden of proof that the proposed project and its plans fall within the guidelines aforementioned shall rest with the applicant.

606.6 "The Secretary of the Interior's Standards for Historic Preservation Projects

1. Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building structure, or site and its environment, or to use a property for its originally intended purpose.
2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations which have no historic basis and which seek create an earlier appearance shall be discouraged.
4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These

changes may have acquired significance in their own right, and this significance shall be recognized and respected

5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.
6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any acquisition, protection, stabilization, preservation, rehabilitation, restoration, or reconstruction project.
9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historic, architectural, or cultural material and such design is compatible with the size, scale, color, material and character of the property, neighborhood, or environment.
10. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

606.7 The Applicant may appeal the decision of the Architectural Review Committee to the Board of Zoning Appeals in the same manner as other zoning matters are so appealed, and the provisions of Article IX of the Zoning Ordinance shall be applicable in this regard, with the Architectural Review Committee Chairman, or his designee, responsible for presenting the facts regarding the requirements, decisions and determinations as viewed by the Committee.

606.8 The Architectural Review Committee shall be empowered to consult with state or federal historic preservation officials, architects, architectural historians, historians, or any person with knowledge or a background relating to any pertinent field for advice regarding the interpretation or application of the provisions of the Historic District portion of this Ordinance. The municipal attorney may, with prior consent of the Mayor, be consulted as necessary. No professional consultation for which a fee will be charged, is authorized without specific approval of the Town Council, unless sufficient funds have been set aside by the Planning Commission from its budget. The Municipal Historic Landmarks

Commission should be consulted as to their opinion with respect to any significant changes proposed to any existing structure or site within the Historic District. Any decisions, however, shall rest with the Architectural Review Committee.

606.9 A majority of members of the Architectural Review Committee shall constitute a quorum. No action of the Committee is official however, unless authorized by a majority of the Committee. The members of the Committee shall serve without compensation, but shall be reimbursed for actual expenses incurred.

Section 607: Prohibited Uses in All Districts

In addition to the restrictions stated in Section 502, the following uses are prohibited:

1. Slaughter houses and live stock markets.
2. Junk yards, automobile wrecking yards, scrap metals, scrap paper and rag storage.
3. Chemical plants, paper mills, tanneries.
4. Stone crushing, concrete mixing and asphalt plants.