

AN ORDINANCE REPEALING ARTICLE 1313 OF THE CODE OF THE TOWN OF STAR CITY REGARDING AMENDMENT OF THE TOWN ZONING ORDINANCE.

WHEREAS, Chapter 8A of the West Virginia State Code includes comprehensive and controlling provisions governing the amendment of the Town zoning ordinance by the governing body, with or without election; and,

WHEREAS, the Town ordinance regarding such amendments is unnecessarily duplicative and adds no value or additional requirements to those included in the State Code.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF STAR CITY, THAT ARTICLE 1313, INCLUDING SECTIONS 1313.01 and 1313.02 ARE REPEALED AS FOLLOWS (additions underlined, deletions strike-through):

ARTICLE 1313 AMENDMENTS RESERVED

1313.01 PROCEDURE

~~(a) Council may, from time to time, on its own initiative or on petition signed by seventy-five percent (75%) of the property owners according to frontage in any district, or portion thereof, as large as one City block between two parallel streets, together with seventy-five percent (75%) of the property owners according to frontage in all the blocks immediately adjoining and facing any part of the block or district proposed to be changed, amend, supplement or change the regulations, restrictions or district boundaries herein established or subsequently established. This shall be done only after a public hearing, official notice of which shall be given in the official newspaper or general circulation of at least fifteen days prior to such hearing.~~

~~(b) If a protest to the proposed amendment, supplement or change be presented duly signed and acknowledged by the owners of twenty percent (20%) or more of the frontage proposed to be altered, or by the owners of twenty percent (20%) or more of the frontage immediately in the rear thereof, or by the owners of twenty percent (20%) of the frontage directly opposite the frontage proposed to be altered, such amendment, supplement or change shall not be passed except by an affirmative vote of at least four-fifths of the members of Council.~~

~~(c) Council shall take final action upon such proposed amendment, supplement or change within forty-five days after the filing of petition for same with the Town Recorder; and if Council shall fail to take action upon such petition within such time the petition shall be deemed to have been rejected.~~

~~(d) Any changes hereafter made under the provisions of this article which pertain only to changes in the zone map or district boundaries, may be done by order of Council.~~

1313.02 BOARD OF ADJUSTMENT

First Reading: June 18, 2024

Public Hearing/Second Reading: July 2, 2024

Official:  Mayor

Recorded:  Recorder

[Passed: July 2, 2024]