

WEST VIRGINIA CODE: §8A-11-2

§8A-11-2. Permitted use for group residential facility.

- (a) A group residential facility as defined in article seventeen, chapter twenty-seven of this code, shall be a permitted residential use of property for the purposes of zoning and is a permitted use in zones or districts where single family dwelling units or multifamily dwelling units are permitted.
- (b) A governing body of a municipality or a county, and a planning commission, cannot discriminate in regard to housing and cannot require a group residential facility or its owner or operator, to obtain a conditional use permit, special use permit, special exception or variance to locate a group residential facility in a zone or district where single family dwelling units or multifamily dwelling units are permitted.
- (c) The provisions of this section do not exempt any group residential facility from the structural requirements of any bona fide historic preservation district.