

ORDINANCE NO. 377

AN ORDINANCE AMENDING SECTION 140-49 OF THE OCEAN VIEW LAND USE AND DEVELOPMENT CODE TO REDUCE THE MINIMUM REQUIRED AREA FOR COMMERCIAL USES TO 25% OF NET TRACT AREA IN MXPC DISTRICTS.

WHEREAS, the Town Council has the power to adopt ordinances for the protection and preservation of town property and for securing the protection and promotion of health, safety, comfort, convenience, welfare and happiness of the residents of the town; and

WHEREAS, the Town Council may exercise the planning and zoning powers conferred generally upon municipal corporations or to the Town specifically; and

WHEREAS, the Town Council of Ocean View is of the opinion that the present allocation of 40% commercial as the minimum standard in the MXPC zone is antiquated and not reflective of the shift in economic trends that include the shift to on line retail shopping and the downsizing and in some instances elimination of traditional big box retail stores which were the norm when the original MXPC ordinance was adopted such that a reduction in the minimum commercial allocation to 25% is more reflective of modern trends; and

WHEREAS, the Planning and Zoning Commission has recommended adoption of this proposed ordinance; and

WHEREAS, this promotes the health, safety, comfort, convenience, welfare and happiness of the residents of the Town.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN OF OCEAN VIEW;

Section 1. Amend Chapter 140, ARTICLE VII PLANNED COMMUNITY ZONING DISTRICTS, § 140-49 Tract Standards, by deleting those portions in brackets and by adding thereto those portions indicated by underlining, as follows:

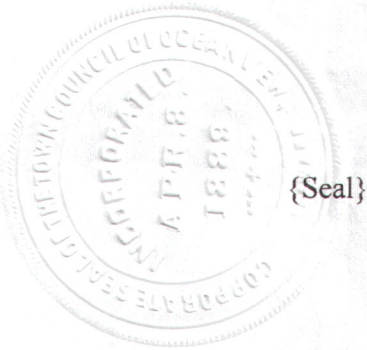
§ 140-49 Tract standards.

A. Applicability: all planned community districts.

B. Standards.

Standard	RPC District	MXPC District
Minimum gross tract area (acres)	20, recorded as a single parcel	20, recorded as a single parcel
Requirements for commercial uses		
Minimum area	N/A	[40] <u>25%</u> of net tract area
Maximum Area	1 acre per 100 dwellings	50% of net tract area

Section 2. This ordinance shall become effective upon its adoption by a majority of the members of the Town Council.



TOWN OF OCEAN VIEW

By: John J. Zeady, Jr.
Mayor

Attest: Donna M. Schwartz
Town Clerk

First Reading: June 8, 2021

Second Reading: July 13, 2021

Adopted: July 13, 2021