AMENDMENT TO ORDINANCE NO. A02-8

AN ORDINANCE TO AMEND ORDINANCE NO. A02-8, RELATING TO ZONING, TO MODIFY THE COMMERCIAL USES PERMITTED IN THE RESIDENTIAL PLANNED COMMUNITY (RPC) ZONING DISTRICT AND TO CLARIFY THE PROVISIONS CONCERNING RPC DISTRICT AMENDMENTS

WHEREAS, the Commissioners of Bridgeville have the power and jurisdiction to develop and adopt zoning ordinances as it shall deem necessary in order to preserve and protect the public health, safety, morals, beauty and good appearance of the Town and provide for the growth thereof;

WHEREAS, the Commissioners of Bridgeville established the Residential Planned Community (RPC) zoning district to provide the Town with the flexibility to permit mixed-use developments, and to provide for the application of design ingenuity while protecting existing and future developments and achieving the goals of the Comprehensive Plan; and

WHEREAS, the Commissioners of Bridgeville desire to correct two provisions of the RPC District established by Ordinance No. A02-8.

NOW, THEREFORE, THE COMMISSIONERS OF BRIDGEVILLE HEREBY ORDAIN AND ENACT:

Section 1. Amend Section 7 of Ordinance No. A02-8, § 234-24-B, entitled "Use regulations" by deleting paragraph B and substituting the following:

B. Uses permitted in the C-1 District by § 234-18(B)-(F), (H), (J)-(P)(1), (Q)-(S), (U) and (BB) *[as revised by Ordinance No. A02-8]*, and accessory uses and signs relating to such uses, in accordance with the additional requirements and specific provisions of this Article. Such uses shall be situated and designed to be compatible with existing and reasonably anticipated development in the surrounding neighborhood in terms of size, scale and appearance.

Section 2. Amend Section 8 of Ordinance No. A02-8, § 234-41-D, entitled "Amendments and additions to site plans" by deleting paragraph D as follows:

The procedure for amendment of an approved RPC District or an approved RPC preliminary or final site plan shall be the same as for a new application, except that minor amendments of an approved Concept Plan or preliminary site plan or of conditions attached to an approved RPC District may be approved by the Town Commissioners at a regular meeting after a written report by the Director of Development or Designee and without a public hearing, provided that such change or amendment:

A. Does not alter a recorded RPC final site plan;
B. Does not conflict with the specific requirements of this chapter;
C. Does not significantly change the general character or content of an approved development plan or use;
~~D. Applies to an approved condition originating with the Commission and not the Town Commissioners;~~

~~E.~~D. Has no appreciable effect on adjoining or surrounding property;
~~F.~~E. Does not result in any substantial change of major external access points;
~~G.~~F. Does not increase the approved number of dwelling units or height of buildings; and
~~H.~~G. Does not decrease the minimum specified yards and open spaces or minimum or maximum specified parking and loading spaces.

The phrase "minor amendments" shall not include changes to the boundaries of an approved RPC District, but may include changes to: the location, number or types of uses; number of dwelling units; location or method of providing public services or utilities; and other similar amendments.

Section 3. Effective Date. This amendment shall become effective upon its adoption by a majority of all members elected to the Commission present and voting.

6/9/03
First Reading

7/14/03
Second Reading

7/14/03
Adopted

COMMISSIONERS OF BRIDGEVILLE

Joseph R. Conaway
Commission President

Margaret W. Sipple
Commission Secretary

[This amendment references the provisions of Section 234-18, as established or revised by Ordinance No. A02-8]