

ORDINANCE No. 409

AN ORDINANCE AMENDING SECTION 140-59-E(1) OF THE OCEAN VIEW LAND USE AND DEVELOPMENT CODE BY ADDING FAST FOOD RESTAURANTS, FAST FOOD RESTAURANTS WITH DRIVE THROUGH, AND FAST FOOD RESTAURANTS WITH DRIVE IN AS USES TO THE REQUIRED OFF STREET PARKING SPACES CHART, REVISING THE NUMBER OF OFF-STREET PARKING SPACES REQUIRED FOR RESTAURANTS, AND ESTABLISHING THE NUMBER OF OFF-STREET PARKING SPACES REQUIRED FOR THE AFOREMENTIONED TYPES OF FAST FOOD RESTAURANTS

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 is desirous of providing for the welfare and happiness of its residents by providing regulations that govern these uses within the Town; and

WHEREAS, the Town Council of Ocean View is of the opinion that it promotes the health, safety, morals, beauty, and good appearance of the Town to provide regulations governing parking requirements for various types of restaurants.

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

Section 1. Amend Ocean View Code Chapter 140, Article IX, Section 140-59-E(1) by adding the underlined language below:

E. Required spaces.

(1) By use.

| Use | Minimum Number of Off-Street Parking Spaces Required |
|--------------------------------------|---|
| Clinic or office, medical and dental | 1 for each 200 square feet of floor area |
| Day-care establishments | 1 for each 1,000 square feet of floor area |
| Dwelling units, all types | 2 per dwelling unit in addition to garage space |
| Funeral homes | 1 for each 100 square feet of floor area |
| Hospitals | 1 for each bed based on rated capacity |

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| Lodging places | 1.75 for each guest room, plus minimum required spaces for all uses operated in conjunction with the lodging place |
| Places of assembly | 1 for each 50 square feet of floor area |
| Places of worship | 1 for each 100 square feet of floor area, plus minimum required spaces for all uses operated in conjunction with the place of worship |
| Restaurants, <u>including Fast Food</u> | 1 for each 50 square feet of floor area <u>dedicated to patron use, including outdoor seating. Plus one for each employee on the largest shift.</u> |
| <u>Fast Food Restaurant with Drive-Through and/or Drive-In</u> | <u>1 for each 75 square feet of floor area dedicated to patron use, including outdoor seating. Plus one for each employee on the largest shift.</u> |
| Retail and service uses | 1 for each 250 square feet of floor area |

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

TOWN COUNCIL OF OCEAN VIEW

By: *John J. Quaintan*
Mayor

Attest: *Donna M. Schwaartz*
Town Clerk



Introduction: **6.10.25**

Planning & Zoning Commission Review: **7.14.25**

First Reading: **9.9.25**

Second Reading: 10-14-25

Adopted: 10-14-25

Synopsis: This ordinance works in conjunction with a pending ordinance, which proposes to redefine fast food restaurant and add fast food restaurant with drive through and fast food restaurant with drive in to the table of permitted uses, by adding these types of restaurants to the off-street parking requirements chart, and establishing the number of spaces required for each type of fast food restaurant. It also revises the number of spaces required for restaurants, by applying the per square feet multiplier to the area dedicated to patron use only, and including an additional number of spaces based on the number of employees.