

**AN ORDINANCE AMENDING THE OCEAN VIEW LAND USE AND
DEVELOPMENT CODE BY ADDING
WILDLIFE EDUCATION CENTERS AS SPECIAL EXCEPTIONS
IN GB-1 AND GB-2 GENERAL BUSINESS 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 is desirous of providing for the welfare and happiness of its residents by providing for wildlife education center 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 comprehensive regulations governing wildlife education centers within the Town.

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, Attachment, Permitted Uses and Structures, by adding to Other Uses Wildlife Education Centers as Special Exceptions in GB-1 and GB-2 General Business Districts.

Section 2. Amend Ocean View Code Chapter 140, Article VI, Additional Use and Dimensional Regulations, by adding the following new section:

§ 140-42.3. Wildlife education center. In addition to all other applicable standards of the zoning district, an establishment that meets the definition of a wildlife education center shall comply with the following:

(1) Compliance with Other Codes Required—Every Wildlife Educational Center shall comply with all other applicable standards, laws, and regulations of Ocean View, applicable outside agencies at the county, state, and federal levels in addition to the provisions of this Land Use and Development Code.

- (2) Conduct of Use.
 - (a) To the extent feasible, the use shall be conducted within a completely enclosed building.
 - (b) The location of activities and facilities outside of an enclosed building shall be approved by the Board of Adjustment.
- (3) When approving activities and facilities outside of an enclosed building, the Board of Adjustment shall consider the effect on adjoining uses.
- (4) Fencing Required.
 - (a) A fence shall be installed around the area of the property where the activities of the Wildlife Educational Center take place.
 - (b) Height and fencing materials shall be approved by the Board of Adjustment to ensure that it is appropriate for this use.
 - (c) All fencing shall comply with other applicable sections of this Land Use and Development Code, have a uniform and durable character, and be properly maintained.
- (5) Hours of Operation—Hours of operation shall be limited to between the hours of 9:00 a.m. and 7:00 p.m.
- (6) Revisions, Modifications, Changes, Additions to Approved Application—Any revisions, modifications, changes, additions to an approved application shall be approved by the Board of Adjustment and shall be subject all applicable sections of this Land Use and Development Code.

Section 3. Amend Ocean View Code Chapter 140, Article XXI, Definitions, by adding to § 140-152 Terms Defined, the following:

WILDLIFE EDUCATIONAL CENTER - A facility whose primary purpose is educating the public about wildlife and natural resources through programs and displays and where animals involved in educational programs may be housed. A Wildlife Educational Center is not a zoo defined as a place where animals are kept and viewed by the public.

Section 5. This ordinance shall become effective upon its adoption by a majority of the members of the Town Council present and voting.

TOWN OF OCEAN VIEW

By: _____
Mayor

Adopted: 9/12/2017

Attest: _____
Town Clerk

Synopsis

This ordinance adds Wildlife education centers, with standards, as permitted uses in the GB-1 and GB-2 General Business Districts.