

**ORDINANCE NUMBER: \_\_\_\_\_**

**AN ORDINANCE TO REZONE AND AMEND THE OFFICIAL ZONING MAP OF ISLE OF WIGHT COUNTY TO AMEND CONDITIONS AND REZONE 3.2 ACRES OF LAND IDENTIFIED AS TAX MAP PARCEL 34-01-003A1 FROM C-GC, CONDITIONAL-GENERAL COMMERCIAL, TO CONDITIONAL PLANNED DEVELOPMENT-MIXED USE AND TO REZONE 111.39 ACRES OF LAND IDENTIFIED AS TAX MAP PARCELS 34-01-077 AND 34-01-077D FROM RAC, RURAL AGRICULTURAL CONSERVATION, TO C-PD-MX, CONDITIONAL PLANNED DEVELOPMENT – MIXED USE**

WHEREAS, East West Partners of Virginia, Inc., applicant, and Eagle Harbor LLC and EH2 LLC, owners, have requested an amendment to conditional zoning and to rezone 3.2 acres of land with Tax Map Number 34-01-033A1 from C-GC, Conditional General Commercial, to C-PD-MX, Conditional Planned Development – Mixed Use, and a rezoning of 111.39 acres of land with Tax Map Numbers 34-01-077 and 34-01-077D from RAC, Rural Agricultural Conservation, to C-PD-MX, Conditional Planned Development – Mixed Use; and,

WHEREAS, the proposed amendment to conditional zoning, rezoning, and amendment to the official zoning map have been advertised and reviewed by the Planning Commission in compliance with the requirements of state law; and,

WHEREAS, the Planning Commission has made a recommendation as stated in Exhibit "A"; and,

WHEREAS, a public hearing before the Isle of Wight County Board of Supervisors was duly advertised as required by law and held on the 21st day of November 2019, at which public hearing the public was presented with the opportunity to comment on the proposed rezoning.

NOW, THEREFORE, BE IT ORDAINED by the Isle of Wight County Board of Supervisors of Isle of Wight County, Virginia, that:

Section 1.     Exhibits.

Exhibit “A”, “Planning Commission Recommendation,” Exhibit “B”, “The Pitt and Lippe Master Plan” dated September 5, 2019, which are attached hereto, are hereby incorporated as part of this ordinance.

Section 2.     Findings.

A.     The Board finds that the application number ZA-02-19 for proposed amendment to conditional zoning and rezoning is reasonable and warranted due to a change in circumstances affecting the property and has considered the following factors and finds that the proposed rezoning does not conflict with:

1.     the existing use and character of property within the County;
2.     the Comprehensive Plan;
3.     the suitability of the property for various uses;
4.     the trends of growth or change;

5. the current or future requirements of the community as to land for various purposes as determined by the population and economic studies and other studies;
6. the transportation requirements of the community;
7. the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services;
8. the conservation of natural resources;
9. the preservation of flood plains;
10. the preservation of agricultural and forestal land;
11. the conservation of properties and their values; and
12. the encouragement of the most appropriate use of land throughout the County.

Section 3. Rezoning.

- A. The property as shown on the attached Exhibit "B" is hereby rezoned and the official zoning map be, and is hereby, amended from GC, General Commercial, and RAC, Rural Agricultural Conservation, to C-PD-MX, Conditional Planned Development – Mixed Use zoning district as conditioned.
- B. The foregoing amendment to conditional zoning, rezoning, and amendment to the official zoning map shall remain in effect until a subsequent amendment changes the zoning of the property.

This ordinance shall be effective upon passage and shall not be published or codified.

DATE: \_\_\_\_\_

READ AND PASSED: \_\_\_\_\_  
Chairman

TESTE: \_\_\_\_\_  
Clerk

Approved as to Form:

\_\_\_\_\_  
Robert W. Jones, Jr., County Attorney