

**ARTICLE 7
RESORT COMMERCIAL (RC) DISTRICT**

STATEMENT OF INTENT

That portion of Colonial Beach referred to as the downtown beach front provides a resort area for tourists. Land use in this district shall orient itself to the development of an attractive, viable resort area. This district should be permitted where public utilities and transportation systems are adequate. Land uses which go against this concept or adversely affect the operation thereof shall be excluded from the district. The Floor-Area-Ratio (FAR) shall not exceed 2.0 with a minimum of 25% open, permeable land coverage.

7-1 Permitted Uses: Within the Resort Commercial District, a Building and/or land shall be used only for the following purposes with an approved site plan;

1. Arts and Crafts Studios
2. Bed and Breakfasts
3. Boardwalk vendors (requires a vendors permit from the Town Manager)
4. Boat Pier, Private
5. Brew Pubs
6. Business Service and Supply Establishments
7. Canoe/kayak sales and rental establishments
8. Churches/Houses of Worship
9. Commercial Nanobreweries
10. Commercial Recreational Establishments
11. Community Facilities/Open Spaces
12. Emergency Service Establishments
13. Financial Institution/Service Establishments
14. Flea Market, Indoor
15. Golf Cart, Moped, and Bicycle Sales and Rental Establishments
16. Live/Work Units
17. Museums
18. Offices
19. Park/Playground
20. Personal Service Establishments
21. Public facilities and utilities
22. Restaurants, excluding those with drive in facilities
23. Retail Establishments
24. Special events (requires a special event permit from Town Manager)
25. Theaters with maximum permitted occupancy of no more than 70 persons
26. Wayside Stands and/or Farmers Markets

7-2 Accessory Uses: Within the Resort Commercial District, a Building and/or land shall be used only for the following purposes with an approved site plan;

1. Accessory Structures or Accessory Buildings
2. Antennae
3. Automatic teller machines (ATMs)
4. Commercial Generators
5. Fences in rear & side yards only
6. Parking lots/structures
7. Storage of operable motor vehicles and operable recreational vehicles, trailers, and marine vehicles provided the vehicles are parked in the side or rear yards in accordance with Article

- 18 of this ordinance.
- 8. Walk-in Freezers

7-3 Conditional Uses (Conditional Use Permit Required): Notwithstanding Section 7-1 of this Article, the following uses require a Conditional Use Permit. After review of the application and public hearing thereon, in accordance with Article 16 herein, the Town Council finds as a fact that a proposed use is consistent with the intent of the Land Use Plan, and is in the public interest, the following uses may be permitted with an approved site plan;

- 1. Civic, Social or Fraternal Facilities
- 2. Commercial parking Lots/Structures as principal use
- 3. Conference Centers
- 4. Convenience Stores
- 5. Hotels/Motels
- 6. Microbreweries
- 7. Mixed Residential/Commercial Use
- 8. Mobile Vending Courtyards
- 9. Nightclubs
- 10. Restaurants, with drive in facilities
- 11. Rooming Houses
- 12. Structures exceeding a 35-foot building height
- 13. Theaters with maximum permitted occupancy of more than 70 persons
- 14. Tourist Homes
- 15. Vacation Cottage Complexes

7-4 Bulk & Area Regulations

Table 7-4.1 Principal Structure Requirements

Zoning District – Resort Commercial: Bulk & Area Regulations for the Principle Structure

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| Minimum lot area | None |
| Maximum lot coverage w/out mitigation | 36% |
| Front Setback minimum | 5-feet from Road Right of Way |
| Front Setback maximum | 10-feet from Road Right of Way |
| Rear Setback minimum | 0 feet |
| One-side Setback | 0 feet unless adjacent Residential District then 10-feet |
| Sum of side Setbacks (left & right) | 0 feet unless adjacent to Residential District then 20-feet |
| Minimum street frontage | None |
| Minimum street frontage on cul-de-sac/curve | None |
| Minimum lot width at front Setback | 50-feet |
| Maximum height | 35-feet above finished grade |
| Off-street parking | 2 spaces per 250 net retail square feet (excluding storage areas, bathrooms, halls, etc.) |
| Flood proofing | 3-feet above base flood elevation |
| Landscaping (new construction/reuse of commercial sites) | 1 tree for each 50-ft. of frontage and a minimum of 2-Street trees per commercial site; exact requirements shall be determined as part of the |

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| | site plan process |
| Minimum caliper (size) of street trees | 2.5 inches at time of planting |
| Floor area ratio (FAR) | 2.0 |
| Sign Area (maximum) | 1-sq. ft. of sign area for each linear foot of Building frontage, capped at 75-sq. ft.; all ground signs shall be monument style with a masonry base. |
| Sign Height (maximum) | 15-feet above finished grade |
| Ground Sign Setback from ROW (street) | 5-feet |

Table 7-4.2 Accessory Structure Requirements

Zoning District – Resort Commercial: Bulk & Area Regulations the Accessory Structure

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| Front Setback | Must be located in rear/side yard |
| Rear Setback | 3-feet |
| Side Setback | 3-feet |
| Setback from Principal Structure | 10-feet |
| Maximum size | 35% of Principal Structure |
| Maximum height | 34 feet above finished grade or 1-foot below Principal Structure or whichever is less |
| Flood Proofing | 3-feet above base flood elevation |
| Fence height in Side & Rear Yard | 6-feet |
| Fence height in Front Yard | 4-feet |
| Fence Setback | 0-feet |
| Type of Fencing | Wood or Plastic in rear/side yards only |
| Accessory structures cannot have separate meters/service connections for utility services | |

7-5 Development Standards for the Resort Commercial District

A. Development Standards

The following standards apply to all new construction or redevelopment within this district. All development standards shall be shown on the approved site plan(s).

1. Notwithstanding Section 18-3 of this Ordinance, and in addition to the requirements contained in Article 24 of this Ordinance, areas provided or reserved for the acceptance and collection of refuse from commercial establishments shall be screened from view by a uniformly painted solid board fence, a uniform evergreen hedge, or other appropriate screening measures. Such screening shall be six (6) feet in height.
2. Areas designated for outdoor display of merchandise provided or reserved for resale or rental shall not exceed thirty (30%) percent of the floor area of the structure dedicated to the use.
3. Surveys/site plans for new construction shall be submitted and approved prior to approval of zoning/building permits. Surveys shall be consistent with the requirements of Article 14 of this ordinance.
4. Site surveys shall provide for the management of stormwater in accordance with State regulations.
5. An inspection by the Westmoreland County Building Official is required prior to operating. This inspection will address life and safety issues and assign a maximum occupancy load to the structure.
6. All mechanical equipment, whether rooftop or ground level, shall be screened from view of public

Rights of Way and designed as an integral part of the structure.

7. No portion of the Principal Structure that is constructed of unadorned concrete block or corrugated and/or sheet metal shall be visible from any public Right of Way.
8. Curb, gutter, and sidewalks shall be installed prior to the issuance of a Certificate of Occupancy and Zoning Compliance at the developer's expense on all Lots.
9. All new Development and Re-development shall place all utilities underground, including, but perhaps not limited to, electric, cable, telephone, and fiber optic internet, all at the developer's expense.
10. All Principal Structures shall be placed on a permanent foundation.
11. Barbed chain link or razor wire fence is prohibited.
12. Setbacks shall be measured from exterior foundation walls.
13. Projections beyond the foundation wall may extend up to 3-feet into the Setback. Projections shall be incorporated into the structure so as to appear as an integral part of the Building. Such features shall not be considered in determination of Setbacks.
14. Accessory Structures or Accessory Buildings, parking areas, Parking Decks, trash collection areas, and other utilitarian areas shall be located in a manner that is sensitive to adjacent structures and screened from public Rights of Way.
15. If during renovation of an existing site any sidewalk/curb is broken, then the entire sidewalk/curb section(s) shall be replaced in accordance with Town standards at the developer's/applicant's expense.

7-6 Additional Requirements

1. See Article 22 of this ordinance for site specific requirements concerning the Chesapeake Bay Preservation Act
2. All large scale breweries, microbreweries, commercial nanobreweries, home nanobreweries and brewpubs shall be licensed and/or permitted by the proper national and state agencies concerning breweries.
3. No tattoo establishment shall be located within 200 feet of another tattoo establishment, or primary entrance of a private or public school Building, day care facility, public park, or religious institution.