

**ARTICLE 8
GENERAL COMMERCIAL (C-1) DISTRICT**

Statement of Intent

The purpose of this district is to provide sufficient space and appropriate locations for commercial activities generally serving the complete town and located along existing major thoroughfares.

8-1 Permitted Uses

Within the C-1 District, a building and/or land shall be used only for the following purposes with an approved site plan:

- a. Commercial Accessory Structures
- b. Arts, Crafts & Photography Studios
- c. Automobile Service Stations
- d. Brewpubs
- e. Carwash
- f. Civic, Social or Fraternal Facilities
- g. Churches/Places of Worship
- h. Commercial Nanobreweries
- i. Community Center/Open Space
- j. Convenience Stores
- k. Day-care center
- l. Financial Service Establishments
- m. Live-work units
- n. Marinas
- o. Microbreweries
- p. Museums
- q. Outdoor storage of merchandise and outdoor display of merchandise is permitted, provided that the outdoor storage and/or display is ancillary to a use permitted by right, and provided that the requirements of section 8-12 of the Zoning Ordinance, which is contained in Appendix A of the Colonial Beach Town Code, are met
- r. Private or Public Piers
- s. Professional offices
- t. Public Utilities, Buildings and Facilities
- u. Restaurants
- v. Mini-warehouse/self-storage
- w. Small Retail Establishments, not exceeding 12,000 square feet
- x. Vehicle major service establishments
- y. Vehicular Sales, Service and Repair Establishments

8-2 Conditional Uses (Conditional Use Permit Required)

Notwithstanding 8-1 of this Article, the following uses require a Conditional Use Permit with an approved site plan:

- a. Auction Houses
- b. Boat Building Establishments
- c. Boathouses
- d. Book Stores
- e. Bottling Establishments
- f. Bus and Railroad Stations
- g. Commercial Recreation Facilities

- h. Commercial Piers
- i. Conference Centers
- j. Flea Markets
- k. Funeral Homes
- l. Go-cart Tracks
- m. Hospitals
- n. Hotels and Motels
- o. Large Scale Breweries
- p. Nightclubs
- q. Outdoor display/storage of merchandise that does not meet the requirements of section 8-12 of the Zoning Ordinance, which is contained in Appendix A of the Colonial Beach Town Code.
- r. Parking Deck/Lot
- s. Pawn Shops and Wayside Stands
- t. Seafood Packing Facilities
- u. Service & Repair Establishments
- v. Shopping Centers
- w. Theaters
- x. Veterinary Hospitals and Kennels
- y. Watchman or caretakers with living quarters who are employed by the business

8-3 Development Standards

- a. Full frontage improvements required (curb, gutter & sidewalk)
- b. No chain link or other types of wire fences may be placed on the required front yard.
- c. Off street parking shall be to the side and rear of the principal structure. Parking shall be based upon the net public floor area excluding storage, halls, bathrooms, etc.
- d. Dumpsters must be screened from view by a board on board fence or masonry enclosure (see figure 8-1.1).
- e. Outdoor lighting shall not exceed 0.5 foot-candle at any property line and such lights shall be shielded to reflect the light down. The light source (bulb) shall be shielded so as not to be visible from adjoining property lines or public rights-of-way.
- f. Light standards or poles shall not exceed 15-feet in height.
- g. Across the front of the property a “street tree” standard shall be required as specified by the Director of Planning.
- h. Parapet walls or other screening device shall be used to screen roof top mechanical equipment from view.
- i. Hotel/motel parking shall be structured and attached to or adjacent to the principle building. It shall have architecture that is consistent with the principal building and it shall not be calculated as part of the building height when located below the principal building provided that the height of the parking shall not exceed 35-feet from finished grade and the first level (1) parking level is below ground.

8-4 Area Regulations

There shall be no minimum lot area required.

8-5 Front Yard Setback Regulations

For main structures the minimum front yard setback from the street right of way upon which the structure fronts shall be five (5) feet and the maximum shall be thirty (30) feet.

8-6 Minimum Street Frontage Regulations

For main structures, there shall be no minimum street frontage required.

8-7 Lot Width Regulations

For main structures, there shall be no minimum lot width required.

8-8 Side Yard Setback Regulations

- a. For main structures, there shall be no minimum side yard required.
- b. Notwithstanding Section 8-7(a), for main structures adjacent to the boundary line of a residential zoning district, the minimum side yard adjacent to such district shall be twenty-five (25) feet.
 - i. This may be reduced to ten (10) feet provided an eight (8) foot tall, masonry architectural wall consistent with the main structure or a board on board fence is constructed with a three (3) foot landscaped bed placed along the property line (see figure 8.8.1 for an example of an architectural wall).

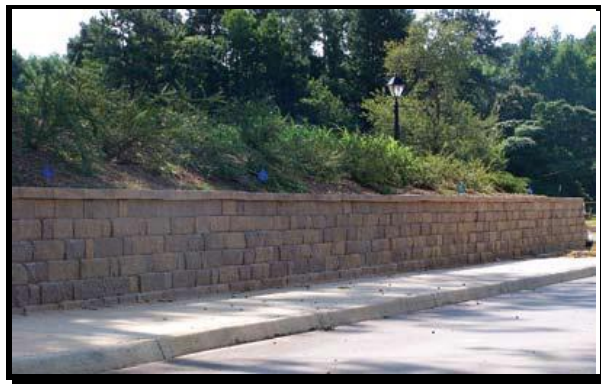


Figure 8-8.1 Example of an architectural wall

8-9 Rear Yard Setback Regulations

- a. For main structures, there shall be no minimum rear yard required.
- b. Notwithstanding Section 8-9(a), for main structures adjacent to the boundary line of a residential zoning district, the minimum side yard adjacent to such district shall be twenty-five (25) feet.
 - i. This may be reduced to ten (10) feet provided an eight (8) foot tall, masonry architectural wall consistent with the main structure or a board on board fence is constructed with a three (3) foot landscaped bed placed along the property line (see figure 8.8.1 for an example of an architectural wall).

8-10 Height Regulations

Permitted structures may be erected up to thirty-five (35) feet from final grade with the following exceptions:

- a. Church spires, monuments, water towers, chimneys, flag poles, television antennae, and radio aerials.
- b. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest.

8-11 Accessory Structure Regulations

- a. Accessory structures shall have no minimum setback required.
- b. Notwithstanding Section 8-10(a), an accessory structure, shall be located no closer than twenty-five (25) feet to any property line which is adjacent to the boundary line of a residential district.
 - i. This may be reduced to ten (10) feet provided an eight (8) foot tall, masonry architectural wall consistent with the main structure or a board on board fence is constructed with a three (3) foot landscaped bed is placed along the property line (see figure 8-8.1 above).
- c. All accessory buildings shall be less than the main building in height.

8-12 Screening Regulations

- a. Notwithstanding section 2-10 of the Zoning Ordinance, which is located in Appendix A of the Colonial Beach Town Code, and in addition to the requirements contained in Article 24 of the Zoning Ordinance, the following uses shall be screened from view by a uniformly painted solid board fence or a masonry wall constructed consistent with the principal structure. Such screening shall be six (6) feet in height and shall not extend past the front corners of the main structure.
 - i. Areas provided or reserved for open air storage, or loading/unloading of material, merchandise, or equipment.
 - ii. Areas provided or reserved for the open air storage of damaged, or inoperable boats and watercraft, provided however that this shall not include those awaiting general repair or maintenance.
 - iii. Areas provided or reserved for the acceptance and collection of refuse.
- b. Notwithstanding section 5-14 (a) of the Zoning Ordinance, outdoor display of merchandise provided or reserved for resale shall not require screening, if the area designated for such display does not exceed thirty percent (30%) of the floor area of the structure dedicated to the use.
- b. Such screening shall not obstruct the view of motorists using any street, private driveway, parking aisles, or the approach to any street intersection so as to constitute a traffic hazard or a condition dangerous to the public safety. Such screening shall be maintained in perpetuity by the property owner(s) in good condition as determined by the Director of Planning. Whenever the enforcement of the provisions of this Section would result in a traffic hazard, the Director of Planning may waive or modify such requirements.

8-13 Additional Requirements

- A. 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.