

ORDINANCE NO. 694, AMENDS THE ZONING ORDINANCE BY ADDING THE ABILITY TO RECEIVE AN EXCEPTION FROM THE DEVELOPMENT STANDARDS REQUIREMENT TO INSTALL CURB, GUTTER, AND SIDEWALK WHEN DEVELOPING UNDEVELOPED LOTS

WHEREAS, the Colonial Beach Town Council finds that public necessity, convenience, general welfare and good zoning practice are served by Ordinance No. 694; and

WHEREAS, the Colonial Beach Planning Commission has reviewed, conducted a public hearing and recommended the approval of Ordinance No. 694;

NOW, THEREFORE, BE IT ORDAINED by the Colonial Beach Town Council that the Colonial Beach Zoning Ordinance, Article 4, Residential Limited (R-1) District, Section 4-6(A)(6); Article 6, General Residential (R-2) District, Section 6-6(A)(6); Article 9, Commercial Residential (CR) District, Section 9-5(A)(8); and Subdivision Ordinance, Section 5, Design Standards 5-3-3 shall be amended as follows:

“4-6 Development Standards for the R-1 District

A. R-1 Development Standards

1. 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).
2. Surveys/site plans shall be required to be submitted and approved prior to approval of zoning/building permits. Surveys shall be consistent with the requirements of Article 14 of this ordinance.
3. Site surveys shall provide for the management of stormwater in accordance with State regulations
4. 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
5. No portion of the principal building that is constructed of unadorned concrete block or corrugated and/or sheet metal shall be visible from any public right-of-way(s)
6. Curb, gutter and sidewalks
 - a. shall be installed prior to Certificate of Occupancy at the developer’s expense on all undeveloped lots. This requirement may only be waived by the Director of Public Works in consultation with the Director of Planning if pre-existing associated infrastructure does not support the installation of curb, gutter, and/or sidewalk. An engineering report prepared by a licensed engineer and submitted by the applicant to the Town may be required at the request of the Director of Public Works.
 - b. If during construction/renovation of an existing site sidewalk/curb is broken the entire section of curb/sidewalk shall be replaced in accordance with Town standards at the developer’s/applicant’s expense.

7. Minor home occupations may have a sign which is no more than three (3) square feet in size (1.5 feet long and 1.5 feet wide). i. Sign shall not be illuminated ii. Sign shall be affixed to exterior wall of the principal structure
8. Minor home occupations may see clients on an appointment only basis
9. All principal structures shall be placed on a permanent foundation.
10. Barbed or razor wire fence is prohibited.
11. Setbacks shall be measured from exterior foundation walls.
12. Projections beyond the foundation wall may extend up to 3-feet into the setback.
13. 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, parking areas, 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. Any development or redevelopment project must have a harmonious and compatible relationship with the surrounding neighborhood.

6-6 Development Standards for the R-2 District

A. R-2 Development Standards

1. 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).
2. Surveys/site plans shall be required to be submitted and approved prior to approval of zoning/building permits. Surveys shall be consistent with the requirements of Article 14 of this ordinance.
3. Site surveys shall provide for the management of stormwater in accordance with State regulations
4. 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
5. No portion of the principal building that is constructed of unadorned concrete block or corrugated and/or sheet metal shall be visible from any public right-of-way(s)
6. Curb, gutter and sidewalks
 - a. shall be installed prior to Certificate of Occupancy at the developer's expense on all undeveloped lots. This requirement may only be waived by the Director of Public Works in consultation with the Director of Planning if pre-existing associated infrastructure does not support the installation of curb, gutter, and/or sidewalk. An engineering report prepared by a licensed engineer and submitted by the applicant to the Town may be required at the request of the Director of Public Works.
 - b. If during construction/renovation of an existing site sidewalk/curb is broken the entire section of curb/sidewalk shall be replaced in accordance with Town standards at the developer's/applicant's expense.
7. Minor home occupations may have a sign which is no more than three (3) square feet in size. (1.5 feet long and 1.5 feet wide)
 - i. Sign shall not be illuminated
 - ii. Sign shall be affixed to exterior wall of the principal structure
8. Minor home occupations may see clients on an appointment only basis
9. All principal structures shall be placed on a permanent foundation
10. Barbed or razor wire fence is prohibited
11. Setbacks shall be measured from exterior foundation walls

12. Projections beyond the foundation wall may extend up to 3-feet into the required setback, stairs and handicapped ramps may extend to within 3-feet of the property line
13. Projections shall be incorporated into the structure so as to appear as an integral part of the building. Such architectural features shall not be considered in determination of setbacks
14. Accessory structures, parking areas, decks, trash collection areas and other utilitarian areas should be located in a manner that is sensitive to adjacent structures and screened from public rights-of-way
15. Any development or redevelopment project must have a harmonious and compatible relationship with the surrounding neighborhood

9-5 Development Standards for the Commercial Residential District

A. 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. 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 required to 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 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 building that is constructed of unadorned concrete block or corrugated and/or sheet metal shall be visible from any public right-of-way(s).
8. Curb, gutter and sidewalks
 - a. shall be installed prior to Certificate of Occupancy at the developer's expense on all undeveloped lots. This requirement may only be waived by the Director of Public Works in consultation with the Director of Planning if pre-existing associated infrastructure does not support the installation of curb, gutter, and/or sidewalk. An engineering report prepared by a licensed engineer and submitted by the applicant to the Town may be required at the request of the Director of Public Works.
 - b. If during construction/renovation of an existing site sidewalk/curb is broken the entire section of curb/sidewalk shall be replaced in accordance with Town standards at the developer's/applicant's expense.
9. If during renovation of an existing site sidewalk/curb is broken the entire sidewalk/curb section(s) shall be replaced in accordance with Town standards at the developer's/applicant's expense.

10. All principal structures shall be placed on a permanent foundation.

11. Barbed/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.

Town of Colonial Beach Subdivision Ordinance

SECTION 5 DESIGN STANDARDS

5-3. STREET LIGHTS, SIGNS, AND SIDEWALKS FOR MAJOR SUBDIVISIONS

5-3-1. Street Lights. All subdivisions in the Town of Colonial Beach shall have street lights installed by the subdivider. The street lights at a minimum shall be located at each intersection and at mid-block points on the backside of the sidewalk(s). At a minimum all cul-de-sac streets shall have a street light at the entrance and terminus of the street. The street lights shall be of a consistent design and color. Where applicable street lights shall be energy star compliant. Street lights shall be no taller than fifteen (15) feet above finished grade, the light source (bulb) shall be Subdivision Ordinance shielded as not to be visible from public right-of-ways and the street light shall be shielded to reflect light to the ground. All costs shall be borne by the subdivider.

5-3-2. Street identification signs. Street identification signs shall be of a design approved by the Virginia Department of Transportation and/or the Subdivision Agent. The subdivider shall be responsible for the cost to acquire and the cost of installation of street signs. Street signs may incorporate route numbers on the sign blade to prevent excessive signage at intersections. Street signs shall be located at all intersections. If the developer wishes to use a decorative street identification sign, the design shall be submitted to the Subdivision Agent for approval. Repair and maintenance of decorative street identification signs shall be the responsibility of the home/property owners association.

5-3-3. Curb, gutter and sidewalk. All subdivisions within the Town of Colonial Beach shall contain curb, gutter and sidewalk along both sides of subdivision streets in a design that meets the requirements of the Virginia Department of Transportation unless otherwise altered under the terms of the Planned Unit Development provisions in the zoning ordinance or as specified above in Section 5.2.5 of this ordinance. Subdivisions constructed with frontage along an existing state road(s) shall install such improvements for their respective frontage. This requirement may only be waived by the Director of Public Works in consultation with the Director of Planning if pre-existing associated infrastructure does not support the installation of curb, gutter, and/or sidewalk. An engineering report prepared by a licensed engineer and submitted by the applicant to the Town may be required at the request of the Director of Public Works.

5-3-4. Subdivision Entrance Signs – All new subdivisions in the Town of Colonial Beach shall have a masonry monument style sign/entry feature. Such sign/entry feature may be illuminated with shielded lighting reflecting all light to the ground. A landscaped perimeter shall be installed around the sign/entrance feature by the subdivider which shall be a maximum of sixty-four (64) square feet in area. This area shall be shown on the preliminary and record plat as common area which is to be owned and maintained by the home/property owner association.”

THIS IS TO CERTIFY THIS IS A TRUE COPY OF AN ORIGINAL ORDINANCE, adopted by the Town Council at a Meeting of Council held Thursday, November 15, 2018 at the Colonial Beach Elementary School, with a quorum of Council being present.

Kathleen Flanagan, Town Clerk

Upon motion made by Mr. Lyburn and seconded by Mr. Alger, Ordinance No. 694, as written, passed with a unanimous vote of council members present.

	<u>Aye</u>	<u>Nay</u>		<u>Aye</u>	<u>Nay</u>
<i>Blunt</i>	<i>X</i>		<i>Cirbee</i>	<i>X</i>	
<i>Leamon</i>	<i>Absent</i>		<i>Dellar</i>	<i>X</i>	
<i>Alger</i>	<i>X</i>		<i>Lyburn</i>	<i>X</i>	
			<i>Rogers</i>	<i>X</i>	