

**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 .75 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;

- a. Arts and crafts studios
- b. Bed and breakfasts
- c. Boardwalk vendors (requires a vendors permit from the Town Manager)
- d. Brewpubs
- e. Business service establishments
- f. Churches or houses of worship
- g. Commercial nanobreweries
- h. Commercial recreational establishments
- i. Community facilities/open spaces
- j. Emergency service establishments
- k. Financial service establishments
- l. Golf cart, moped, bicycle, and canoe/kayak sales and rental establishments
- m. Indoor flea markets
- n. Live-work units
- o. Museums
- p. Offices
- q. Personal service establishments
- r. Private, public and commercial piers
- s. Public facilities and utilities
- t. Public parks/playgrounds
- u. Restaurants, excluding those with drive in facilities
- v. Retail establishments
- w. Special events (requires a special event permit from Town Manager)
- x. Wayside stands and/or farmers markets
- y. Tattoo establishments (see 7-6(C))

**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;

- a. Accessory structures
- b. Antennae
- c. Automatic teller machines (ATM)
- d. Parking lots/structures

- e. 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.
- f. Walk-in freezers
- g. Commercial generators
- h. Fences in rear & side yards only

**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. Microbreweries
- 6. Mixed residential/commercial-use buildings
- 7. Motels, hotels, and rooming houses
- 8. Nightclubs
- 9. Restaurants, with drive in facilities
- 10. Structures exceeding a 35-foot building height
- 11. Theaters
- 12. Tourist homes
- 13. 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

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	10-feet
One-side setback	5-feet unless adjacent Residential District then 10-feet
Sum of side setbacks (left & right)	15-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 site plan process
Minimum caliper (size) of street trees	2.5 inches at time of planting
Floor area ratio (FAR)	0.75
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

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**

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. 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.

3. 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.
4. 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.
5. Site surveys shall provide for the management of stormwater in accordance with State regulations.
6. 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.
7. 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.
8. 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).
9. Curb, gutter and sidewalks shall be installed prior to Certificate of Occupancy at the developer's expense on all undeveloped/developed lots.
10. All new development and re-development shall place all utilities underground including electric, cable, telephone, etc. at the developer's expense.
11. All principal structures shall be placed on a permanent foundation.
12. Barbed chain link or razor wire fence is prohibited.
13. Setbacks shall be measured from exterior foundation walls.
14. 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.
15. 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.
16. 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.

#### **7-6 Additional Requirements**

- A. See Article 22 of this ordinance for site specific requirements concerning the Chesapeake Bay Act.
- B. 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.
- C. 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.