



Before the
Colonial Beach Town Council
Held at
Town Center, 22 Washington Avenue
Wednesday February 17, 2021 at 6:00 p.m.
Town Council Regular Meeting
AGENDA

1. Call to Order
2. Moment of Silence/Pledge of Allegiance/National Anthem
3. Roll Call of Members
4. Additions to the Agenda
5. Approval of the Agenda
6. Approval of Minutes for January 6, 2021, Work Session and January 20, 2021, Regular Meeting
7. Council Member Announcements
8. Presentations
 - a. Proclamation, 129th Anniversary of Town's Incorporation
 - b. Proclamation, Celebrating Black History Month
9. Citizen Input
(Comments will be limited to three minutes, per person, to provide enough time for each citizen to speak.)
10. Unfinished Business
 - a. **PUBLIC HEARING**

Ordinance No. 711, Amends Zoning Ordinance, Article 9 **(TAB A)**
 - i. Public Input
 - ii. Council Action

 - b. **PUBLIC HEARING**

Ordinance No. 712, Establishment of Rules for Town Dog Park **(TAB B)**
 - i. Public Input
 - ii. Council Action

c. Town Council Communications and Transparency Update

11. New Business

- a. Resolution #10-21, Trademark, Permit to Use **(TAB C)**

12. Closed Meeting (if necessary)

13. Adjournment/Recess

Tab A



Town Council Staff Report

From: Kathleen Easley, Zoning Administrator
Request: Text Amendment for Commercial Residential zoning district minimum lot size
Planning Commission: January 28, 2021 5:30 p.m. Town Center 22 Washington Ave
Town Council: February 3, 2021 Worksession 6:00 p.m. Town Center 22 Washington Ave
February 17, 2021 6:00 p.m. Town Center 22 Washington Ave

BACKGROUND

Staff has been working with the Dodson Development Group on a proposed townhouse development to be located next to Town Hall on Douglas and Wilder Avenue. The current zoning district is Commercial Residential which allows multi-family as a use by right. The minimum lot area is 5,000 square feet. The property is approximately 2 acres. The developer originally suggested rezoning to R-4 which allows 20 units per acre (21,078 square feet per unit). Staff recommended keeping the zoning at CR and do a text amendment to reduce the minimum lot area. After discussion at the January 2021 Planning Commission worksession, members decided on changing the CR zoning district to minimum lot area of 750 square per dwelling unit. This will allow the townhouse units to be sold separately versus an apartment type development.

DISCUSSION

The purpose of the CR zoning district is to provide for a transitional mixture of uses with a Floor Area Ratio (FAR) of .75. Staff feels density can be regulated by FAR and not by lot size requirements. General Commercial (C-1) zoning district has no minimum lot area. The proposed plan for the townhouse development on Wilder and Douglas is proposing various lot sizes ranging between 1600 and 2300+ square feet.

Planning Commission discussed and recommends increasing the FAR to 1.5.

RECOMMENDATION

Planning Commission and staff recommend amending the Commercial Residential (CR) zoning district minimum lot size to 750 square feet and increase the FAR to 1.5.

ATTACHMENTS

1. Article 9 Commercial-Residential (CR) District
2. Site Plan for the Dodson Townhome development

COUNCIL PAPER

At the regular meeting held on Wednesday, February 17, 2021 at the Colonial Beach Town Center

ORDINANCE NO. 711

ORDINANCE NO. 711: AMENDS THE TOWN OF COLONIAL BEACH ZONING ORDINANCE, ARTICLE 9 COMMERCIAL RESIDENTIAL (CR) DISTRICT BY AMENDING TABLE 9-4.1 MINIMUM LOT AREA TO BE 750 SQUARE FEET AND AMEND FLOOR AREA RATIO TO 1.5.

BE IT ORDAINED by the Colonial Beach Town Council that the Colonial Beach Zoning Ordinance shall be amended as follows:

**ARTICLE 9
COMMERCIAL-RESIDENTIAL (CR) DISTRICT**

Statement of Intent

The purpose of this district is to provide for a transitional mixture of uses. Although commercial uses are emphasized, mixed commercial and residential uses may be continued, developed, and redeveloped. Residential and commercial ventures may be allowed in the same structure. The Floor Area Ratio (FAR) in this district is 0.75.

9-4 Bulk & Area Regulations

Table 9-4.1 Principal Structure Requirements

Minimum lot area	5,000 750 square feet
Maximum lot coverage w/out mitigation	36%
Front setback	5-feet from Road right-of-way
Rear Setback	15-feet
One-side setback	5-feet
Sum of side setbacks	10-feet
Minimum street frontage	10-feet
Minimum lot width at front setback	10-feet
Maximum height	35-feet above final finished grade
Floor Area Ratio (FAR)	0.75 1.5

Moved By _____ Seconded By _____

AYE

NAY

AYE

NAY

Mayor Robin Schick

Mike Cabrey

Caryn Self-Sullivan

Tom Moncure

Pat Ey

Vicki Roberson

Powell Duggan

Adopted _____

Tabled _____

Tab B

COUNCIL PAPER

At the meeting held on February 17, 2021 at the Colonial Beach Town Center

ORDINANCE NO. 712 AMENDS COLONIAL BEACH TOWN CODE, CHAPTER 5 "BEACHES, WATERWAYS, BOARDWALK, PARK, RECREATIONAL AREAS AND FACILITIES," ESTABLISHES ARTICLE V, "PARKS," SECTION 5-61, "DOG PARK"

BE IT ORDAINED BY THE COLONIAL BEACH TOWN COUNCIL THAT the Colonial Beach Town Code, Chapter 5, CHAPTER 5 "BEACHES, WATERWAYS, BOARDWALK, PARK, RECREATIONAL AREAS AND FACILITIES" ESTABLISHES ARTICLE V, "PARKS," SECTION 5-61, "DOG PARK"

CHAPTER 5 – BEACHES, WATERWAYS, BOARDWALK, PARKS, RECREATION AREAS AND FACILITIES

ARTICLE V. PARKS

"Sec. 5-61. DOG PARK

- (a) The Town Dog Park is the fenced area set aside at Robin Grove Park.
- (b) Specific rules and prohibitions. The following are prohibited in the Town Dog Park:
 1. Enter the Town Dog Park with a dangerous dog or vicious dog, as defines in Town Code, Chapter 3, Article III
 2. Enter the Town Dog Park with a dog that is not wearing a valid, current Westmoreland County dog license tag fastened securely to it's collar; or, if the owner's primary residence is other than Westmoreland County, a valid, current dog license tag from the jurisdiction of the owner's primary residence.
 3. Enter the Town Dog Park with a dog that has been banned from the Town Dog Park, for the duration of the ban.
 4. Fail to clean up after the dog as required by Town Code, Chapter 3, Article V, (Sec 3-58)
 5. Violate any additional rules posted in the Town Dog Park
- (c) Exemptions to existing Leash Ordinance. The owner or custodian of a dog may permit a dog to run off leash within the Town Dog Park, so long as the owner or custodian is present and re-leashes the dog immediately if the dog is involved in an incident.
- (d) Penalty. The penalty for a violation of this section is a \$25 fine, pre-payable to the Town of Colonial Beach Finance Department, and is in addition to any other penalties, civil or criminal, under the Code of the Town of Colonial Beach or the Code of Virginia. In addition, the Town Manager may ban any person and/or any dog from the Town Dog Park for a serious violation or repeated violations of any provision in this section.

	AYE	NAY		AYE	NAY
Mayor Schick	_____	_____	Thomas Moncure	_____	_____
Mike Cabrey	_____	_____	Vicki Roberson	_____	_____
Pat Ey	_____	_____	Caryn Self Sullivan	_____	_____
Powell Duggan	_____	_____			

Moved By _____

Seconded By _____

Tab C

COUNCIL PAPER

At the meeting held on Wednesday February 17, 2021 at the Colonial Beach Town Center

Resolution # 10-21, Trademark, Permit Use

WHEREAS, the Town of Colonial Beach is the owner of a federally registered trademark; and

WHEREAS, the Town is accordingly obligated to monitor for possible infringements; to file required U.S. Patent & Trademark Office declarations with associated fees; and, to license use the trademark by others; and

WHEREAS, a nominal user fee is appropriate to facilitate broad dissemination while preserving the Town’s rights in its trademark.

NOW, THEREFORE, BE IT RESOLVED that:

- 1) Licensed users of the trademark for profit will be charged a fee of \$50.00 per year for unlimited use.
- 2) The fee for non-profit licensed users may be waived on the representation that the trademark will not be used for any commercial or fund-raising purposes.
- 3) The Town Manager will designate an employee responsible for trademark compliance and executing license agreements on the part of the Town.

	AYE	NAY		AYE	NAY
Mayor Schick	___	___	Thomas Moncure	___	___
Mike Cabrey	___	___	Vicki Roberson	___	___
Pat Ey	___	___	Caryn Self Sullivan	___	___
Powell Duggan	___	___			

Moved By _____

Seconded By _____