

TOWN OF COLONIAL BEACH PLANNING
COMMISSION

Agenda

Date: Thursday, July 7, 2016

Time 5:30 p.m.



-
- 1) Call the meeting to order at 5:30 p.m.
 - 2) Approval of Agenda
 - 3) Approval of Minutes from the May 2016 Special Meeting and June 2016 Regular Meeting
 - 4) Public Comment on Planning Commission Matters (not on the agenda)
 - 5) Committee Reports
 - 6) Resolution #33-16-Request by Beach Gate Inn, LLC to Rezone lots 21,22,23,24, and 25, block A
 - a. Chair asks for Staff Report Presentation
 - b. Chair opens public hearing (note time)
 - c. Chair closes public hearing (note time)
 - d. Chair initiates Commission Discussion
 - e. Chair reads Commission paper
 - f. Chair seeks motion
 - 7) Resolution #33-16-Conditional Use Permit Request by Beach Gate Inn, LLC to operate a motel in the General Commercial (C-1) District
 - a. Chair asks for Staff Report Presentation
 - b. Chair opens public hearing (note time)
 - c. Chair closes public hearing (note time)
 - d. Chair initiates Commission Discussion
 - e. Chair reads Commission paper
 - f. Chair seeks motion
 - 8) 2nd Review of Article 13- Parking Ordinance Amendments
 - 9) 1st Review of Article 24- Landscape Ordinance Amendments
 - 10) Resolution #21-15-1st Review-Vacant Town Owned Property Study-Wilder Avenue Municipal Parking Lot

11) Discussion on Planning Commission Goals

12) Other Topics

13) Adournment

Town of Colonial Beach Planning Commission Meeting Minutes – Special Meeting

Date: Thursday, May 26, 2016 – Town Center, 22 Washington Avenue

Time: 9:00 a.m.

Present: Maureen McCabe, Vice Chairwoman
 Bob Busick
 Diana Clopton (late)
 Eric Nelson
 Pam Tolson

Absent: None

Staff: Brendan McHugh, Planning and Zoning Administrator
 Tori Haynes, Planning Manager

Other: Robin Schick, Chairwoman, abstaining

Item 1: Call to Order

Ms. McCabe called the meeting to order at 9:00 a.m.

Item 2: Public Hearing, CUP-02-2012, 125 Wilder Avenue

Mr. McHugh read the following staff report:

PLANNING & COMMUNITY DEVELOPMENT STAFF REPORT		
PROJECT NAME: 125 Wilder Avenue Mixed Residential/Commercial Use CUP		TOWN COUNCIL MEETING DATE:
CASE NUMBER: CUP-02-2016		APPLICANT: Robin Schick (agent)
PROJECT STATUS:		OWNER: Kay Marlin
<input type="checkbox"/> Preliminary Sketch	<input type="checkbox"/> Rezoning	LOCATION: 125 Wilder Avenue
<input type="checkbox"/> Preliminary Plat	<input checked="" type="checkbox"/> Conditional Use Permit	VOTING DISTRICT: N/A
<input type="checkbox"/> Prelim. Final Plat	<input type="checkbox"/> Concept Plans	PARCEL NUMBER: 3A2-2-87-2
<input type="checkbox"/> Final Plat	<input type="checkbox"/> Text Amendment	TOTAL SITE AREA: 4,993 sf
<input type="checkbox"/> Vacation	<input type="checkbox"/> Comp. Plan Amend.	SITE AREA DEVELOPED:
EXISTING STRUCTURES: Two-story frame dwelling and metal shed		CBPA: RMA
FLOOD HAZARD: Zone X		ADDITIONAL SITE DATA: N/A
CURRENT ZONING: Resort Commercial		
ACTION REQUEST: Recommendation to Town Council	STAFF: B. McHugh	DATE: 5/26/2016

PRIOR ACTIONS/CASE HISTORY:

REZONINGS:	N/A
CONDITIONAL USE PERMIT:	N/A
VARIANCES:	N/A
SUBDIVISIONS:	N/A
OTHER DATA:	N/A

BACKGROUND:

Ms. Robin Schick has applied as the agent for Ms. Kay Marlin for a Conditional Use Permit (CUP) to operate a Mixed Residential/Commercial Use Building. A Mixed Residential/Commercial Use Building is defined as:

A building which provides commercial or office space together with one or more residential units.

Ms. Marlin would like to accommodate for four apartments including one master suite apartment on the first floor and two office spaces.

DISCUSSION:

The site is zoned Resort Commercial (RC). For this use, a conditional use permit is required, per Article 7 of the Colonial Beach Zoning Ordinance.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission vote to recommend this Conditional Use Permit to the Town Council with the following recommendations:

1. The applicant shall record the To Wit (approval form) with the Westmoreland County Circuit Court Clerk's office within 30 days of receipt and provide a copy of the recorded document to the Planning Department with the deed book and page number.
2. This CUP is for operation of a Mixed Residential/Commercial Use Building.
3. The owner shall notify the Department of Planning and Community Development of any new occupants within the office spaces to determine if the occupant's use is permitted based on the Uniform Statewide Building Code and the Colonial Beach Zoning Ordinance.
4. A Certificate of Occupancy to operate as a Mixed Residential/Commercial Use Building shall not be issued until this conditional use permit has been approved by Town Council.
5. The owner shall comply with all Federal, State and Local Laws and/or Ordinances.

Ms. McCabe opened the public hearing at 9:03 a.m.

Ms. Schick, abstaining as Chairwoman and acting as agent for Ms. Marlin, explained that Ms. Marlin currently has a by-right use for 125 Wilder Avenue as a rooming house. Its original condition was low-income and rundown. It has been renovated into high-end studio apartments with additional commercial office spaces. She noted that the proposed mixed-use is in line with the Comprehensive Plan's Housing Section update. She said the owner accepts all conditions proposed by Town Staff and hopes for a favorable recommendation from Planning Commission.

There was no other public comment.

Ms. McCabe closed the public hearing at 9:04 a.m. and opened Commissioner discussion.

Mr. Nelson asked if recommendation #3 was necessary since recommendation #5 already specifies the owner must comply with all federal, state, and local laws.

Mr. McHugh said recommendation #3 is to ensure any proposed commercial uses comply with building and zoning codes.

Ms. Schick said she agreed with leaving recommendation #3 in place to ensure proposed commercial uses are permitted and to save the Planning/Zoning office from unnecessary investigations.

Mr. Busick asked if getting a business license would automatically trigger that process.

Mr. McHugh said sometimes people get business licenses but don't necessarily come to get a business permit.

Mr. Busick asked if there was no communication between the department that administers business licenses and the Planning Office.

Mr. McHugh said sometimes there are gaps in communication.

Mrs. Clopton asked if there is a limitation on short-term rentals.

Ms. Schick said that Ms. Marlin's intention is to market the units as one-year leases, but would consider shorter-term rentals if the market isn't favorable for extended leases.

Mrs. Clopton asked if there is anything in the ordinance that says it has to be long-term.

Ms. Schick said no, and she thinks it's positive that it's not restrictive in that way, because if they don't rent on an annual basis, then it may be a tourist vacation spot as there is a lack of hotel accommodations in the area.

Mrs. Clopton said that's different from being residential and professional, and that it could become a hotel.

Ms. Schick said Ms. Marlin doesn't want it to be a hotel. She wants it to be residential/commercial.

Mrs. Clopton reiterated her concern that there is no code stipulating the rentals must be long-term. She expressed concern that the owner could start operating a bed and breakfast or doing short-term leasing with no one knowing.

Ms. Schick said the property is already by-right as a rooming house which is day-to-day rental, so if the conditional use permit does not go through, it is encouraging more short-term rentals.

Mrs. Clopton reiterated her concern that the Planning Commission is being asked to pass a residential/commercial mixed-use building, but it could turn into short-term housing.

Ms. Schick said she didn't think there can be a restriction on the length of leases, considering people already can lease their homes for short-term rentals on Airbnb.

Mr. Nelson said that if there are restrictions, that would be covered under recommendation #5.

Ms. Schick confirmed.

Mr. McHugh said there is no definition under mixed-use buildings stating length of residential rentals.

Mrs. Clopton said it is common to have a three-month minimum otherwise it is considered short term.

Ms. McCabe asked Mr. McHugh what could be done to safeguard against short-term rentals.

Mr. McHugh said a condition can be added to the permit stipulating a certain period of time for rentals.

Ms. McCabe asked if the owner is asking for long-term rentals.

Ms. Schick said yes, but if she can't get them rented long-term, then they would be rented as executive suites.

Mrs. Clopton said that needs to be addressed in a different way, as it would then no longer be residential.

Ms. McCabe said if they were to run a bed and breakfast, they would have to seek approval.

Ms. Schick said Ms. Marlin will never run a bed and breakfast out of this location under the conditional use permit. She has to run it as residential, but how the length of her leases is up to her.

Mrs. Clopton reiterated her concern that the conditional use permit allows for long-term residential housing, but the owner could switch to executive-style short-term housing, which should be applied for.

Mr. Busick said we should judge it based on what she's asking for.

Ms. McCabe read the following paper:

PLANNING COMMISSION PAPER
AT THE SPECIAL MEETING HELD THURSDAY, MAY 26, 2016 AT THE COLONIAL BEACH TOWN CENTER

Whereas, the Colonial Beach Planning Commission finds that public necessity, convenience, general welfare and good zoning practice would be served by the recommending approval of CUP 02-2016 for 125 Wilder Avenue to operate as a Mixed Residential/Commercial Use Building;

Now therefore be it resolved that the Colonial Beach Planning Commission hereby recommends approval of the CUP-02-2016 for 125 Wilder Avenue to operate as a Mixed Residential/Commercial Use Building with conditions reflected in the staff report dated May 26, 2016, and forwards the plan to the Town Council with a favorable recommendation in accordance with §15.2-2200 of the Code of Virginia, 1950 as amended.

The motion was moved by Mr. Nelson. Ms. Tolson seconded. Ms. McCabe called for a voice vote.

The motion passed unanimously.

Ms. Tolson asked if she could give an update on the CIP.

Mr. McHugh said no other topics could be discussed at the Special Meeting.

Item 3: Adjournment

The meeting was adjourned at 9:16 a.m.

Town of Colonial Beach Planning Commission Meeting Minutes

Date: Thursday, June 2, 2016 – Town Center, 22 Washington Avenue

Time: 5:30 p.m.

Present: Robin Schick, Chairwoman
Maureen McCabe, Vice Chairwoman
Bob Busick
Eric Nelson
Pam Tolson

Absent: Diana Clopton

Staff: Brendan McHugh, Planning and Zoning Administrator
Tori Haynes, Planning Manager

Other: Beach Gate Inn, LLC

Item 1: Call to Order

Ms. Schick called the meeting to order at 5:38 p.m.

Item 2: Approval of Agenda

Ms. Schick added new member orientation and discussion on bylaws under Other Topics. She called for a voice vote.

The amendments to the agenda were approved unanimously.

Item 3: Approval of Minutes of the May 2016 Regular Meeting

Ms. Schick called for a voice vote to approve the minutes of the May 2016 regular meeting.

The minutes were approved unanimously.

Item 4: Public Comment on Planning Commission Matters (Not on the Agenda)

There was no public comment.

Item 5: Committee Reports

Ms. McCabe said she didn't have a copy of the updated recommended CIP.

Mr. McHugh said it hasn't been passed by Town Council yet. It will be passed at the next meeting.

Ms. Tolson said she attended the Town Council work session where they discussed the CIP. She said there are some major changes but nothing that the Planning Commission would have a problem with. She noted items that were removed and changes to the order of priority.

Item 6: Resolution #30-16 – Public Hearing on CPA-01-2016 – Housing Section

Mr. McHugh read the following staff report:

PLANNING & COMMUNITY DEVELOPMENT STAFF REPORT

PROJECT NAME: Comp Plan Chapter 1.6 Housing Update	TOWN COUNCIL MEETING DATE: 5/12/2016	
CASE NUMBER: CPA-01-2016	APPLICANT:	Town
PROJECT STATUS: <input type="checkbox"/> Preliminary Sketch <input type="checkbox"/> Rezoning <input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Prelim. Final Plat <input type="checkbox"/> Concept Plans <input type="checkbox"/> Final Plat <input type="checkbox"/> Text Amendment <input type="checkbox"/> Vacation <input checked="" type="checkbox"/> Comp. Plan Amendment	OWNER:	N/A
	LOCATION:	N/A
	VOTING DISTRICT:	N/A
	PARCEL NUMBER:	N/A
	TOTAL SITE AREA:	N/A
	SITE AREA DEVELOPED:	N/A
	CBPA:	N/A
EXISTING STRUCTURES: N/A	ADDITIONAL SITE DATA: N/A	
FLOOD HAZARD: N/A		
CURRENT ZONING: N/A		
ACTION REQUEST: Recommendation to Town Council	STAFF: Tori Haynes	DATE: 6/2/2016

PRIOR ACTIONS/CASE HISTORY

REZONINGS:	N/A
CONDITIONAL USE PERMIT:	N/A
VARIANCES:	N/A
SUBDIVISIONS:	N/A
OTHER DATA:	N/A

BACKGROUND

Last month, the Planning Commission received amendments to the Housing Section of Chapter 1 of the Comprehensive Plan. Those amendments were done as part of a VHDA grant received by the Town.

DISCUSSION

This Comprehensive Plan Amendment includes new housing and income data, as well as an analysis of the current housing stock versus current housing needs within the Town. Opportunities for mixed-use/mixed-income development are addressed, as per grant requirements. Other minor corrections were made to grammar and formatting. Copies of the final draft were sent to VHDA for review. VHDA did not offer any further notes or revisions.

STAFF RECOMMENDATION

The update to Chapter 1 Section 6 has been specifically catered to meet the requirements of the VHDA grant and has been extensively reviewed by both Town staff and Land Studio consultants. Staff recommends that Planning Commission refer this Comprehensive Plan Amendment as presented to the Town Council.

Ms. Schick opened the public hearing at 5:45 p.m.

There was no public comment.

Ms. Schick closed the public hearing at 5:46 p.m. and opened Commissioner discussion.

Ms. McCabe asked about her previous suggestion to insert a page break in page 1-59 so that *Key Conclusions and Recommendations* begin on page 1-60.

Mrs. Haynes said it is being added as one of the Planning Commission’s recommendations after their public hearing.

Item 7: Resolution #33-16 – Request by Beach Gate Inn, LLC to Rezone Lots 21, 22, 23, 24, and 25, Block A, and a Conditional Use Permit to Operate a Motel

Mr. McHugh read the following staff report:

PLANNING & COMMUNITY DEVELOPMENT STAFF REPORT		
PROJECT NAME: Beach Gate Inn Rezoning and Conditional Use Permit		TOWN COUNCIL MEETING DATE:
CASE NUMBER: N/A		APPLICANT: Beach Gate Motel, LLC
PROJECT STATUS: <input type="checkbox"/> Preliminary Sketch <input checked="" type="checkbox"/> Rezoning <input type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Prelim. Final Plat <input type="checkbox"/> Concept Plans <input type="checkbox"/> Final Plat <input type="checkbox"/> Text Amendment <input type="checkbox"/> Vacation <input type="checkbox"/> Comp. Plan Amend.		OWNER: Beach Gate Motel, LLC
		LOCATION: Colonial Avenue
		VOTING DISTRICT: N/A
		PARCEL NUMBER:
		TOTAL SITE AREA: 31,250 sq. ft.
		SITE AREA DEVELOPED:
EXISTING STRUCTURES: Motel, Metal Shed		CBPA: RMA
FLOOD HAZARD: N/A		ADDITIONAL SITE DATA:
CURRENT ZONING: R-2, C-1		
ACTION REQUEST: 1 st Review		
		STAFF: B. McHugh DATE: 06/02/2016

PRIOR ACTIONS/CASE HISTORY

REZONINGS:	N/A
CONDITIONAL USE PERMIT:	N/A
VARIANCES:	N/A
SUBDIVISIONS:	N/A
OTHER DATA:	N/A

BACKGROUND

Beach Motel, LLC have applied for a Rezoning and a Conditional Use Permit for the Beach Gate Inn at 800 Colonial Avenue. The property was deemed an unsafe structure and condemned on December 28,

2012. Since then, the owner has been working on renovations to reopen.

DISCUSSION

The building exists on a site that is split zoned Residential General (R-2) and Commercial General (C-1). The northern lots of the property off of Colonial Avenue are zoned C-1 while the southern lots off of Horton Street are zoned R-2. According to the Colonial Beach Zoning Ordinance, "motels" are not allowed in the R-2 District and are only allowed in the C-1 District with a Conditional Use Permit.

In order for the property to operate as a motel, the following steps will need to be taken:

- The parcels zoned R-2 (3A2-4-A-(21, 22, 23, 24, and 25)) will need to be rezoned to C-1.
- If the rezoning is approved, the parcels will then need to be consolidated to bring the structure more into conformance.
- The property will then need a Conditional Use Permit to operate as a "Motel" in the C-1 District.

The applicant has offered to proffer to consolidate the parcels of 800 Colonial Avenue into one parcel. The Future Land Use Map in the Colonial Beach Comprehensive Plan identifies the residential parcels as General/Limited Commercial therefor a rezoning of those parcels would align with the Comprehensive Plan.

STAFF RECOMMENDATION

Concerning the rezoning, staff recommends sending this proposal to the Town Council with a favorable recommendation. Concerning the Conditional Use Permit, staff recommends sending this proposal to the Town Council with the following conditions:

1. If the rezoning is approved, parcels 3A2-4-A-(1, 2, 3, 4, 5, 21, 22, 23, 24, & 25) are consolidated and recorded at the Westmoreland County Clerk's Office to bring the property further into conformance.
2. Before a Certificate of Occupancy (C.O.) is issued, the existing parking lot and building must be brought into full conformance with all local, state and federal codes.
3. A full walk through by the Building Official and Code Official will be required before a C.O. is issued.
4. If this Rezoning and CUP are approved, the Beach Gate Inn can only operate as a motel as defined by the Colonial Beach Zoning Ordinance. A motel is defined as: A building or group of attached or detached buildings containing any combination of three or more lodging or guest units, with individual bathrooms, intended primarily for rental or lease to transients by the day or week, as distinguished from multiple-family dwellings in which rentals or leases are for longer periods and occupancy is generally by residents rather than for transients. Ten percent (10%) of the units in such a project may contain kitchens and may be leased or rented for a period longer than one week.
5. If this rezoning and CUP are approved, there shall be a motel manager on site at all times.
6. If this rezoning and CUP are approved, a Health Department Permit shall remain current at all times.
7. The Police call volume for the Beach Gate Inn shall not exceed 80 calls per year. In the event that the volume exceeds 80 calls, the conditional use permit is subject to Town Council review.

After the Planning Commission reviews this case, staff recommends that a public hearing be held in July for a recommendation to the Town Council.

Ms. Schick asked if the parcels had never been consolidated.

Mr. McHugh confirmed.

Ms. McCabe about the clause saying 10% of the units may contain kitchens and be leased or rented for a period of longer than a week.

Mr. McHugh said that is the definition of a motel in the ordinance.

Ms. Tolson asked how many units are in the motel.

Representatives from Beach Gate Inn, LLC responded 21.

Ms. Tolson said technically 2 units could be leased out indefinitely.

Mr. McHugh confirmed.

Ms. Tolson expressed concern about prior problems with long-term residents at the motel.

Ms. Schick asked if this is just for the rezoning aspect of the request.

Mr. McHugh said the report is for the rezoning and the conditional use permit.

Ms. Schick said we have to rezone it first to C-1, then they can apply for a conditional use permit.

Mr. McHugh confirmed.

Ms. Schick directed the Commissioners to only consider the rezoning.

Ms. Tolson said it makes sense to consolidate the lots into one parcel.

Ms. Schick agreed and also agreed with the rezoning.

Mr. Busick asked if the property falls within the RPA.

Mr. McHugh said possibly some of it.

Mr. Nelson asked for clarification on Beach Gate Inn's compliance problems.

Mr. McHugh said the motel is technically pre-existing nonconforming.

Ms. Schick said that it was a motel prior to the having a zoning ordinance.

Mr. McHugh and Mrs. Haynes further clarified that it lost its grandfathered non-conforming status because it hasn't been in operation for more than two years, and therefore loses its use.

Ms. Schick asked how close the motel is to being finished with renovations.

Beach Gate responded about 75% complete.

Ms. Tolson asked Beach Gate if they are putting kitchens in two units.

Beach Gate responded just one kitchen in the manager's suite. They explained there would be a 24-hour on-site manager. They further clarified that they are not specifically requesting the 10% kitchen accommodations as a special treatment. It is already in the town's definition.

Beach Gate asked if the rezoning is approved separately, would they have to come back for the conditional use permit and then have that go to Town Council separately. They explained they are hoping to avoid duplication of effort.

Ms. Schick explained that they cannot get a conditional use permit for the R-2 portion of the property, so it has to be formally rezoned to C-1.

Item 8: Review of Article 13 – Parking Amendments

Mr. McHugh read the following staff report:

PLANNING & COMMUNITY DEVELOPMENT STAFF REPORT		
PROJECT NAME: Article 13 – Parking Ordinance Amendments		TOWN COUNCIL MEETING DATE:
CASE NUMBER: ZOA-01-2016		APPLICANT: Town
PROJECT STATUS: <input type="checkbox"/> Preliminary Sketch <input type="checkbox"/> Rezoning <input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Prelim. Final Plat <input type="checkbox"/> Concept Plans <input type="checkbox"/> Final Plat <input checked="" type="checkbox"/> Text Amendment <input type="checkbox"/> Vacation <input type="checkbox"/> Comp. Plan Amend.		OWNER: N/A
		LOCATION: N/A
		VOTING DISTRICT: N/A
		PARCEL NUMBER: N/A
		TOTAL SITE AREA: N/A
		SITE AREA DEVELOPED: N/A
		CBPA: N/A
EXISTING STRUCTURES: N/A		ADDITIONAL SITE DATA: N/A
FLOOD HAZARD: N/A		
CURRENT ZONING: R-2, C-1		
ACTION REQUEST: 1 st Review		STAFF: B. McHugh DATE: 06/02/2016

PRIOR ACTIONS/CASE HISTORY

REZONINGS:	N/A
CONDITIONAL USE PERMIT:	N/A
VARIANCES:	N/A
SUBDIVISIONS:	N/A
OTHER DATA:	N/A

BACKGROUND

Staff reviewed and amended Article 13 of the Zoning Ordinance which addresses parking requirements in the Town.

DISCUSSION

Some of the major amendments to the article include but are not limited to:

- Amending certain sections to be more specific and easier to administer.
- Adding more environmentally beneficial requirements to manage stormwater.
- Moving the parking lot landscaping requirements directly to the parking section as well as adding additional landscaping requirements.
- Consolidating and amending Section 13-8 which addresses the number of spaces required based on use.
- Adding requirements concerning Loading and Stacking Spaces.
- Adding the definition of permeable pavements to Article 20 Definitions.
- Adding the more defined section concerning Parking, Storage or Use of Major Recreational Equipment, Mobile Buildings and Trailers to Article 18.

STAFF RECOMMENDATION

Staff believes that by supporting these amendments, it promotes public health and safety and creates a more navigable ordinance. After the Planning Commission considers these changes and provides staff with any additional changes staff recommends that the Planning Commission authorize advertisement for the July Planning Commission meeting.

Ms. Tolson said she had a question about the meaning of “BMP” under 13-5.a, which Mr. McHugh had clarified as “Best Management Practice” prior to the meeting.

Ms. Tolson asked if the guidelines on page 3 are for design and aesthetic purposes.

Mr. McHugh confirmed, but added some of them are for environmental reasons, which he had discussed with Ms. Clopton.

Ms. Tolson asked what effect the amended ordinance would have on existing parking lots.

Mr. McHugh said none.

Mr. Nelson asked what is permeable pavement.

Mr. McHugh said technology that you can surface a parking lot with that will absorb stormwater rather than causing it to run off.

Ms. Schick asked about a section-view diagram that had been included in a previous form of the ordinance that is now missing.

Mr. McHugh said he remembered the diagram she was talking about and would look into it.

Ms. Schick asked if there is a way to specify a type of lighting and signage to be consistent with the revitalization.

Mr. McHugh said we have design guidelines, but those are just guidelines.

Ms. McCabe urged planning ahead for the Downtown Colonial Beach revitalization.

Mr. McHugh suggested specifying a particular style.

Mr. Busick asked if Tappahannock’s ordinance required a certain type of lighting. He said other municipalities have requirements for downlighting to eliminate light pollution.

Mr. McHugh said the proposed ordinance has a similar requirement.

Mr. Nelson asked what is the standard that we’re setting.

Ms. Schick said without an Architectural Review Board there's not a lot we can enforce, but this would be a way to get one thing in there to be conforming.

Ms. Tolson asked if there is anything in the revitalization grant that specifies lighting.

Ms. McCabe said it just says they can't have variations of lighting.

Mr. Nelson asked are there any guidelines in the Main Street Program.

Ms. McCabe said she would check.

Ms. Schick asked if VDOT has to look it over to be in conformance with state code.

Mr. McHugh said VDOT would just focus on if there is an entrance going in off one of their main right of ways, like Colonial Avenue or McKinney Boulevard. For example, the decoration committee has to consult with VDOT before putting decorations over Colonial Avenue.

Ms. Schick asked if the number of spaces is based on state code.

Mr. McHugh said he compiled the list by looking at other localities' ordinances and what was already in the current ordinance.

Ms. McCabe asked about signs and markers on page 13-3. She suggested looking into signage because there is new signage going up in most areas of the revitalization.

Ms. Schick said we have a sign ordinance.

Mr. Busick complimented 13-5.d.12, which prohibits topping of trees. He explained that people top their crape myrtles thinking it's the right thing to do, but no trees should be topped.

Mr. McHugh asked if the Planning Commission would like another review of Article 13 before the public hearing.

Ms. Schick said she would like one more review.

Item 9: Other Topics

Ms. McCabe discussed an orientation for new members.

Ms. Schick recommended that Mr. Busick meet with new Commissioners for an orientation.

Mr. Busick agreed.

Ms. Tolson said she didn't know what items she was supposed to get as a new Commissioner until she took the training course. She suggested letting new members borrow the books from the training course as soon as they start, to get ahead on the readings before they take the course.

Ms. Schick apologized for representing Ms. Marlin in the previous special meeting. She explained the bylaws state Commission members cannot represent any applicant before the Commission, but no one noticed until after the meeting.

Mr. Nelson asked for clarification on how Commissioners cannot represent clients.

Ms. Schick and Mr. McHugh explained that Commissioners must recuse themselves and cannot represent clients at a meeting.

Ms. McCabe suggested doing a year-to-date review of goals at the next meeting.

Ms. Schick encouraged all to come to the next Town Council meeting to support the passing of the CIP.

Item 10: Adjournment

The meeting was adjourned at 6:32 p.m.

PLANNING & COMMUNITY DEVELOPMENT STAFF REPORT	
PROJECT NAME: Beach Gate Inn Rezoning and Conditional Use Permit	Town Council Meeting Date:
Case Number: RZ-01-2016/CUP-03-2016	Applicant: Beach Gate Motel, LLC
Project Status: <input type="checkbox"/> Preliminary Sketch Application <input checked="" type="checkbox"/> Rezoning <input type="checkbox"/> Preliminary Plat Use <input checked="" type="checkbox"/> Conditional <input type="checkbox"/> Preliminary Final Plat Plans <input type="checkbox"/> Concept <input type="checkbox"/> Final Plat <input type="checkbox"/> Text Amendment <input type="checkbox"/> Vacation	Owner: Beach Gate Motel, LLC
	Location: Colonial Avenue
	Voting District: NA
	Parcel Number:
	Total Site Area: 31,250 sq. ft.
	Site Area Developed:
Existing Structures: Motel, Metal Shed	CBPA: RMA
Flood Hazard: NA	Additional Site Data: NA
Current Zoning: R-2, C-1	
Action Request: Recommendation to Town Council	
	Staff: B. McHugh Date: 07/07/2016

Prior Actions / Case History

Rezonings: NA
Conditional Use Permit: NA
Variances: NA
Subdivisions: NA
Other Data: NA

BACKGROUND:

At the June Planning Commission meeting, the Planning Commission reviewed both a rezoning and conditional use permit application for the Beach Gate Inn located at 800 Colonial Avenue to operate as a motel.

DISCUSSION:

In order for the property to operate as a motel, the following steps will need to be taken:

- The parcels zoned R-2 (3A2-4-A-(21, 22, 23, 24, and 25)) will need to be rezoned to C-1.
- If the rezoning is approved, the parcels will then need to be consolidated to bring the structure more into conformance.

- The property will then need a Conditional Use Permit to operate as a “Motel” in the C-1 District.

The applicant has already offered to proffer to consolidate the parcels of 800 Colonial Avenue into one parcel.

STAFF RECOMMENDATION:

Concerning the rezoning, staff recommends sending this proposal to the Town Council with a favorable recommendation. Concerning the Conditional Use Permit, staff recommends sending this proposal to the Town Council with the following conditions:

1. If the rezoning is approved, parcels 3A2-4-A-(1,2,3,4,5,21,22,23,24,&25) are consolidated and recorded at the Westmoreland County Clerk’s Office to bring the property further into conformance.
2. Before a Certificate of Occupancy (C.O.) is issued, the existing parking lot and building must be brought into full conformance with all local, state and federal codes.
3. A full walk through by the Building Official and Code Official will be required before a C.O. is issued.
4. If this Rezoning and CUP are approved, the Beach Gate Inn can only operate as a motel as defined by the Colonial Beach Zoning Ordinance.
5. *If this rezoning and CUP are approved, there shall be a motel manager on site at all times.*
6. *If this rezoning and CUP are approved, a Health Department Permit shall remain current at all times.*
7. *The Police call volume for the Beach Gate Inn shall not exceed 80 calls per year. In the event that the volume exceeds 80 calls, the conditional use permit is subject to Town Council review.*

RZ 01-2016-800 Colonial Avenue

PLANNING COMMISSION PAPER

AT THE MEETING HELD, THURSDAY, JULY 7, 2016 AT THE COLONIAL BEACH TOWN CENTER

Whereas, the Colonial Beach Planning Commission finds that public necessity, convenience, general welfare and good zoning practice would be served by the recommending approval of RZ 01-2016 for 800 Colonial Avenue to rezone parcels 3A2-4-A-21, 22, 23, 24, and 25 from Residential General (R-2) to Commercial General (C-1) ;

Now therefore be it resolved that the Colonial Beach Planning Commission hereby recommends approval of the RZ 01-2016 for 800 Colonial Avenue to rezone parcels 3A2-4-A-21, 22, 23, 24, and 25 from Residential General (R-2) to Commercial General (C-1), and forwards the plan to the Town Council with a favorable recommendation in accordance with §15.2-2200 of the *Code of Virginia*, 1950 as amended.

MOVED BY: _____

SECONDED BY: _____

AYE

NAY

AYE

NAY

MS. SCHICK
MS. McCABE
MS. TOLSON

MS. CLOPTON
MR. BUSICK
MR. NELSON

ADOPTED BY _____

TABLED FOR _____

CUP 03-2016-800 Colonial Avenue

PLANNING COMMISSION PAPER

AT THE MEETING HELD, THURSDAY, JULY 7, 2016 AT THE COLONIAL BEACH TOWN CENTER

Whereas, the Colonial Beach Planning Commission finds that public necessity, convenience, general welfare and good zoning practice would be served by the recommending approval of CUP 03-2016 for 800 Colonial Avenue to operate as a motel;

Now therefore be it resolved that the Colonial Beach Planning Commission hereby recommends approval of the CUP 03-2016 for 800 Colonial Avenue to operate as a motel with conditions reflected in the staff report dated July 7, 2016, and forwards the plan to the Town Council with a favorable recommendation in accordance with §15.2-2200 of the Code of Virginia, 1950 as amended.

MOVED BY: _____

SECONDED BY: _____

AYE

NAY

AYE

NAY

MS. SCHICK
MS. McCABE
MS. TOLSON

MS. CLOPTON
MR. BUSICK
MR. NELSON

ADOPTED BY _____

TABLED FOR _____

ARTICLE 13 PARKING

Statement of Intent

The purpose of this Article is to provide for adequate parking while ensuring the welfare of pedestrians and the harmonious, orderly movement of motor vehicles. The parking requirements in this Article do not limit special requirements which may be imposed with planned unit developments, conditional uses or any other land use permit.

13-1 General Requirements

All structures built and all uses established shall provide accessory parking in accordance with this Article.

- a. No zoning permit for any structure or use in any district shall be approved unless there is included with the plan for such a structure or use, a plat plan showing the required parking spaces.
- b. No occupancy permit shall be issued unless the required facilities have been provided in accordance with those shown on the approved plan.
- c. The parking requirements shall be in addition to space provided for storage of other vehicles used in connection with any permitted use.
- d. Exclusive of private residential garages, all parking facilities shall be used solely for the parking of vehicles in operating condition by patrons, occupants, or employees of the use to which such parking serves.
- e. Stacked parking (defined as parking in such a manner so that one vehicle obstructs egress of another vehicle from a parking area or driveway) is not allowed except for single family residential buildings. This shall not include drive-thru lanes normally associated with restaurants or banks.
- f. Enclosed garages shall not be credited towards meeting the required number of parking spaces with the exception of hotels/motels, parking decks, commercial parking garages or public parking garages.

13-2 Determination of Parking Spaces Provided

- a. Within any zoning district, off-street parking credited toward meeting the requirements of this Article shall be located on the same lot as the structure or use to which they are accessory or on any lot either leased or under the same ownership of the use provided that the zoning classification for that district provides for parking lots as a use.
- b. Within any commercial zoning district when the parking required by any use is transitory in nature on-street parking located within five hundred (500) feet of the structure or use is located may be credited toward meeting the requirements of this Article.
- c. Within the Resort Commercial Zoning District when the parking required by any use is transitory in nature any on-street parking located within five hundred (500) feet of the lot on which the structure or use is located, may be credited toward meeting the requirements of this Article.
- d. In the case of any use not addressed by the schedule in section 13-8, the Zoning Administrator shall determine the appropriate number of parking spaces based on a use that most closely approximates the proposed use through information provided from the

- developer or owner of the proposed use, or through consultation with other communities containing similar uses to the proposed use, or through a combination of these methods.
- e. All off street parking spaces associated with residential uses shall be provided on the same lot. Parking for multi-family dwellings, townhomes or other residential units as part of a planned unit development shall be located in accordance with the approved site development plan.
 - f. Any non-residential use located within five hundred (500) feet of a municipal or publicly owned parking lot shall be exempt from this ordinance.

13-3 Special Parking Permit

- a. If a structure or use is unable to meet the required quantity of spaces then the Town Council may, by resolution, authorize the crediting of additional spaces not encompassed by Section 13-2.

13-4 Dimensional Regulations

For the purposes of this Article, parking spaces shall meet the following dimensional standards.

- a. A standard perpendicular or diagonal parking space shall be no less than eighteen (18) feet in length and nine (9) feet in width. A compact perpendicular or diagonal parking space shall be no less than sixteen (16) feet in length and eight (8) feet in width.
- b. A standard parallel parking space shall be no less than twenty-two (22) feet in length and eight (8) feet in width. A compact parallel parking space shall be no less than eighteen (18) feet in length and seven (7) feet in width.
- c. All handicapped parking spaces shall be no less than nine (9) feet in width with a designated five (5) foot marked unloading area adjacent to the space, and shall be designed and constructed in accordance with the provisions of the Uniform Statewide Building Code.

13-5 Improvement of Parking Areas

- a. Parking facilities shall be drained to eliminate standing water and prevent damage to abutting property and/or public streets and alleys. Such facilities shall be surfaced with erosion-resistant material in accordance with applicable specifications. Off-street parking areas shall be maintained in a clean and orderly manner. The owner or lessee of off-street parking shall endeavor to maintain such in as dust-free a manner as possible through the employment of appropriate construction materials.
- b. Parking spaces shall be separated from walkways, sidewalks, or alleys in such a manner so that vehicles cannot protrude over such walkways, sidewalks, or alleys.
- c. Signs or markers shall be used as necessary to ensure safe and efficient traffic operation. Parking spaces in lots of more than ten spaces shall be marked by painted lines or curbs or other means indicating individual spaces. All compact spaces shall be identified and designated as such. All handicapped parking spaces shall be identified by above grade signs. Such signs shall be designed and constructed in accordance with the provisions of the Uniform Statewide Building Code.
- d. All lighting fixtures used to illuminate off-street parking areas shall be designed to minimize glare and intrusion into residential uses.
- e. No parking area shall be located in such a manner as to constitute a traffic hazard for

vehicles entering or exiting such parking area.

13-6 Access to Spaces

All parking areas shall be served with adequate interior aisles and ingress and egress drives.

- a. Location and design of entrances and exits shall be in accord with the requirements of all applicable regulations and standards. In general, there shall be no more than one entrance and one exit, or one combined entrance and exit along any single street. Landscaping, curbing, or approved barriers shall be provided along lot boundaries to control entrance and exit of vehicles or pedestrians.
- b. Interior drives shall be of adequate width to serve a particular design arrangement of parking spaces.

13-7 Method of Determining Number of Spaces Required

- a. Where fractional spaces result, the parking spaces required shall be construed to be the next highest whole number.
- b. Employee based parking requirements shall be computed on the basis of the maximum number of employees on the premises at one time.
- c. In the case of mixed or joint use of a structure or premises, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
- d. Any use or structure which is nonconforming in regards to the parking requirement shall not be required to add additional spaces to meet such requirements when any change or expansion of use or structural alteration does not result in an increase to the amount of parking required. However, whenever any change in use or structural alteration increases the amount of parking required, whether such was previously conforming or nonconforming in regards to parking, additional spaces corresponding to the increased requirement shall be provided.
- e. Parking areas serving more than ten (10) vehicles may provide thirty percent (30%) of those spaces as compact parking spaces.
- f. Restaurants having ownership or access to piers may designate 20% of the available number of transient slips towards the required number of parking spaces.

13-8 Number of Spaces Required

Except as otherwise provided for by this Ordinance, or by conditional use permit, parking spaces shall be provided as follows. The parking space requirements for a use not specifically listed in the following schedule shall be the same as for a listed use with the most similar parking demands.

USE OR USE CATEGORY	NUMBER OF PARKING SPACES REQUIRED
Arts & Crafts Studio	1 per 400 square feet of floor area.
Amusement Parks	1 per 4 persons authorized occupancy
Auction Houses	1 per 400 square feet of floor area or 1 per 4 persons authorized

USE OR USE CATEGORY	NUMBER OF PARKING SPACES REQUIRED
	occupancy, whichever is greater.
Auditoriums, theaters, gymnasiums, stadiums, arenas, conference centers	1 per 4 seats or seating spaces
Automobile Service Stations	2 spaces per bay plus 1 per employee.
Ball Fields	1 per 4 seats or seating spaces.
Bowling Alleys	2 per lane plus 1 per employee.
Business Service and Supply Establishments, service establishments	1 per 400 square feet of gross floor area plus 1 per employee.
Car Washes, Automobile Cleaning & Detailing Facilities	2 per bay plus 1 per employee.
Places of Worship	1 per 4 seats or seating spaces in main assembly area.
Civic, Social or Fraternal facility	1 per 4 seats or seating spaces in main assembly area.
Commercial Recreation Facilities	1 per 200 square feet of floor area or every 4 seats or seating.
Communication Facilities	Minimum of 1 space plus 1 per employee.
Community Centers	10 plus 1 per 400 square feet of floor area in excess of 2,000 square feet.
Convenience Stores	8 per 1,000 gross floor area plus 1 per employee.
Day Care Centers, Family Day Homes	0.19 space per child for a center which has a maximum daily enrollment of 99 children or less. 0.16 per child for a center with enrollment of 100 children or more. Plus 1 for each on site employee
Duplex	2 off street spaces per unit
Elementary Schools, Junior High Schools	1 per 5 seats or seating spaces in main assembly area.
Emergency Services Facilities	Adequate space to accommodate all motor vehicles operated in connection with such use and 2 per each such vehicle.
Financial Institutions	1 per 400 square feet of floor area.
Flea Markets	1 per 400 square feet of floor area plus 1 per vendor.
Funeral Homes	1 per 4 seats plus 1 per 2 employees plus 1 per vehicle used in connection with the business.
Golf Cart, Moped & Bicycle Sales & Rental Establishments	5 spaces plus one per employee.

USE OR USE CATEGORY	NUMBER OF PARKING SPACES REQUIRED
Golf Courses	3 per hole plus 1 per employee
Golf Driving Ranges	1 per tee
High Schools	1 per 4 seats or seating spaces in main assembly area
Horticultural Facilities	2 plus 1 per 400 square feet of retail area
Kennels	1 per 400 square feet of gross floor area, including runs, plus 1 per employee.
Libraries	10 plus 1 per 400 square feet of floor area in excess of 2,000 square feet.
Major Home Occupations	Unless specified by conditional use permit, 1 parking space in addition to the parking spaces required for the residential use.
Manufacturing or Industrial establishments, research or testing laboratories, wholesale, warehouses, or similar establishments	1 per employee plus 1 per company vehicle or piece of mobile equipment.
Marinas, docks, & boating facilities, commercial	1 per 3 boat slips.
Medical Clinics	2 per treatment room plus 1 per employee.
Minor Home Occupations	No additional parking required.
Mobile Homes	2 per unit off street
Multi-family Dwellings	1.5 per unit
Museums	10 plus 1 per 400 square feet of floor area in excess of 2,000 square feet.
Nightclubs	1 per 2 employees plus 1 per 4 persons authorized occupancy
Nursing Homes	1 per 3 beds.
Playgrounds	1 per 250 square feet of usable recreational area.
Performing Arts Studio	1 per 200 square feet of floor area or 1 per 4 persons authorized occupancy, whichever is greater.
Professional Offices	2 spaces plus 1 per 400 square feet of floor area.
Public Service Training Facility	1 per 2 students plus 1 per instructor
Public Utility Establishments	1 per employee plus 1 per company vehicle and piece of mobile equipment.
Restaurants	1 space per 4 seats plus 1 per 2 employees.

USE OR USE CATEGORY	NUMBER OF PARKING SPACES REQUIRED
Retail Establishments.	1 per 200 square feet of floor area.
Rooming Houses, Bed and Breakfasts	2 spaces plus 1 per sleeping room
Self Storage Warehouse	1 per employee plus 1 per 8 units
Shopping Centers	1 space per 200 square feet of gross floor area.
Single Family Attached Dwellings	2 spaces onsite.
Single Family Detached Dwellings	2 spaces onsite.
Tennis Courts (outdoors)	2 spaces per court.
Tourist Homes, Motels, Hotels	5 spaces plus 1 per sleeping room or suite.
Vehicle Major Service Stations	2 per bay plus 1 per employee.
Vehicular Sales, Service and Supply Establishments	5 spaces plus 2 per bay plus 1 per employee.
Veterinary Hospitals	2 per treatment room or veterinarian plus 1 per employee.
Wayside Stands	1 per 100 square feet of sales display, 3 minimum.

13-9 Additional Requirements Including But Not Limited To:

- a. Chesapeake Bay Act: refer to Article 22 of this Ordinance.
- b. Flood Plain: refer to Article 21 of this Ordinance.
- c. Landscaping: refer to Article 24 of this Ordinance.
- d. Signs: refer to Article 12 of this Ordinance.
- e. Site Plan Requirements: refer to Article 14 of this Ordinance.

ARTICLE 13 PARKING

Statement of Intent

The purpose of this Article is to provide for adequate parking while ensuring the welfare of pedestrians and the harmonious, orderly movement of motor vehicles. The parking requirements in this Article do not limit special requirements which may be imposed with planned unit developments, conditional uses or any other land use permit.

13-1 General Requirements

All structures built and all uses established shall provide accessory parking in accordance with this Article.

- a. No zoning permit for any structure or use in any district shall be approved unless there is included with the plan for such a structure or use, a plat plan showing the required parking spaces.
- b. No occupancy permit shall be issued unless the required facilities have been provided in accordance with those shown on the approved plan.
- c. The parking requirements shall be in addition to space provided for storage of other vehicles used in connection with any permitted use.
- d. Exclusive of private residential garages, all parking facilities shall be used solely for the parking of vehicles in operating condition by patrons, occupants, or employees of the use to which such parking serves.
- e. Stacked parking (defined as parking in such a manner so that one vehicle obstructs egress of another vehicle from a parking area or driveway) is not allowed except for single family residential buildings. This shall not include drive-thru lanes normally associated with restaurants or banks.
- f. Enclosed garages shall not be credited towards meeting the required number of parking spaces with the exception of hotels/motels, parking decks, commercial parking garages or public parking garages.
- f. [ADD: The number and dimensions of handicap accessible parking spaces shall be required in accordance with the Federal Americans with Disabilities Act \(ADA\).](#)

13-2 Determination of Parking Spaces Provided

- a. Within any zoning district, off-street parking credited toward meeting the requirements of this Article shall be located on the same lot as the structure or use to which they are accessory or on any lot either leased or under the same ownership of the use provided that the zoning classification for that district provides for parking lots as a use.
- b. Within any Commercial Zoning District when the parking required by any use is transitory in nature on-street parking located within five hundred (500) feet of the structure or use is located may be credited toward meeting the requirements of this Article.
- c. Within the Resort Commercial Zoning District when the parking required by any use is transitory in nature any on-street parking located within five hundred (500) feet of the lot on which the structure or use is located, may be credited toward meeting the requirements of this Article.
- d. In the case of any use not addressed by the schedule in section 13-8, the Zoning

Administrator shall determine the appropriate number of parking spaces based on a use that most closely approximates the proposed use through information provided from the developer or owner of the proposed use, or through consultation with other communities containing similar uses to the proposed use, or through a combination of these methods.

- e. All off street parking spaces associated with residential uses shall be provided on the same lot. Parking for multi-family dwellings, townhomes or other residential units as part of a planned unit development shall be located in accordance with the approved site development plan.
- f. Any **ADD: existing** non-residential use located within five hundred (500) feet of a municipal or publicly owned parking lot shall be exempt from this ordinance.

13-3—Special Parking Permit

- ~~a. If a structure or use is unable to meet the required quantity of spaces then the Town Council may, by resolution, authorize the crediting of additional spaces not encompassed by Section 13-2. (should need a variance from BZA)~~

13-4 Dimensional Regulations

For the purposes of this Article, parking spaces shall meet the following dimensional standards.

- a. A standard perpendicular or diagonal parking space shall be no less than eighteen (18) feet in length and nine (9) feet in width. A compact perpendicular or diagonal parking space shall be no less than sixteen (16) feet in length and eight (8) feet in width.
- b. A standard parallel parking space shall be no less than twenty-two (22) feet in length and eight (8) feet in width. A compact parallel parking space shall be no less than eighteen (18) feet in length and seven (7) feet in width.
- c. ~~All handicapped parking spaces shall be no less than nine (9) feet in width with a designated five (5) foot marked unloading area adjacent to the space, and shall be designed and constructed in accordance with the provisions of the Uniform Statewide Building Code.~~
ADD: All handicapped parking spaces shall conform to state and federal codes.

13-5 Improvement of Parking Areas

- a. Parking facilities shall be surfaced with permeable pavement as defined in Article 20 of the Colonial Beach Zoning Ordinance in accordance with an engineered site plan approved by the Zoning Administrator. ~~shall be drained to eliminate standing water and prevent damage to abutting property and/or public streets and alleys. Such facilities shall be surfaced with erosion resistant material in accordance with applicable specifications.~~ Off-street parking areas shall be maintained in a clean and orderly manner. The owner or lessee of off-street parking is responsible for maintaining the permeable pavement through a Best Management Practice (BMP) Agreement that shall be recorded at the Westmoreland County Commissioners Office. The owner or Lessee of off street parking shall endeavor to maintain such in as dust-free a manner as possible through the employment of appropriate construction materials.
- b. Parking spaces shall be separated from walkways, sidewalks, or alleys in such a manner so that vehicles cannot protrude over such walkways, sidewalks, or alleys.
- c. Parking facilities shall be used solely for the parking of vehicles in operating condition by patrons, occupants, or employees of the use to which parking serves.

- d. Parking lots shall have landscaping.
1. The perimeter of all parking lots shall be landscaped using a combination of trees and shrubs as shown on figure 13-1C.1.
 2. For parking lots with less than 10 spaces, a minimum of at least 5% of the interior portions of a parking lot shall be landscaped for the purpose of providing shade trees.
 3. Such interior landscaped areas shall be provided on bio-swale islands and in continuous swale strips extending along the length of the parking bay
 4. Within the parking lot, swale islands and landscaped areas should be used to delineate traffic and pedestrian circulation patterns.
 5. For parking lots with less than 10 spaces there shall be one (1) low shrub planted for every five (5) spaces or portion thereof.
 6. Parking lots shall have two (2) medium shade trees where ten (10) or fewer spaces are required.
 7. Parking lots shall have two (2) medium shade trees for every 10-parking spaces or fraction of 10-spaces.
 8. Trees shall be planted within bio-swale islands which are no smaller than 10-feet by 5-feet, a total of 50-square feet. Trees may be up-limbed to 12 feet above grade to provide visibility.
 9. Shrubs shall be a minimum of one and a half (1.5) feet in height at time of planting and be maintained at a maximum height of three (3) feet.
 10. There shall be a minimum of one (1) shrub for every five (5) feet or portion thereof along the boundaries of the parking lot.
 11. Trees (deciduous) shall have a minimum caliper of 2.5 inches at time of planting and a maximum canopy of 30-feet when mature. Evergreen trees shall be no less than 6-feet tall at time of planting. The minimum distance between plantings shall be 10 feet.
 12. Trees may be up-limbed (trimmed) up to 12-feet from the final grade. Topping of trees (unless damaged by storm) is prohibited.
 13. Design Flexibility - If an applicant can demonstrate that alternative landscaping can meet the intent of this section through the submittal of such an alternative landscape plan, the Zoning Administrator can then accept that plan or modify the alternative plan and design so as to comply with the intent of this section and its provisions. Additionally, the requirements of this section may be lowered by the Director.

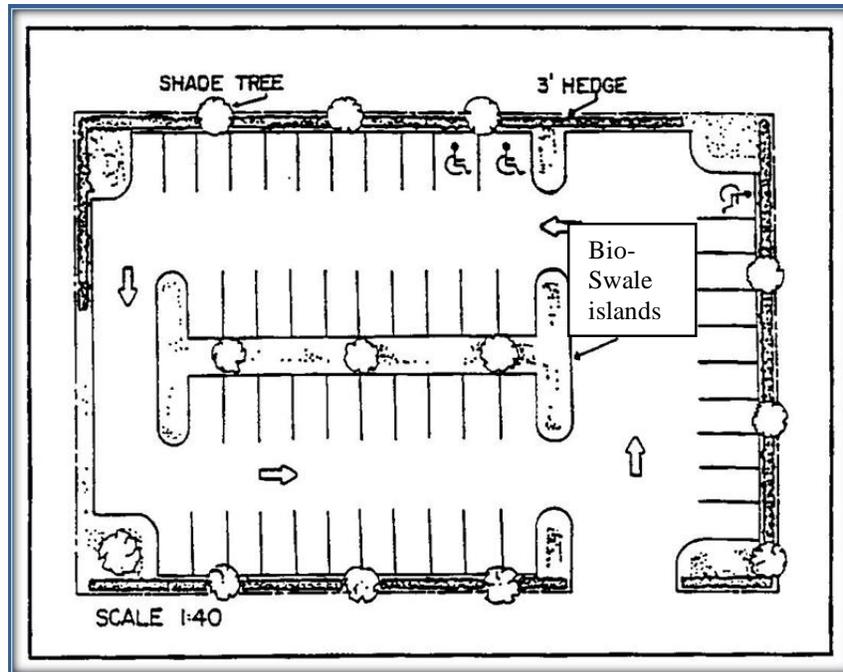


Figure 13-1C.1

- d. Signs or markers shall be used as necessary to ensure safe and efficient traffic operation. Parking spaces in lots of more than ten spaces shall be marked by painted lines or curbs or other means indicating individual spaces. All compact spaces shall be identified and designated as such. All handicapped parking spaces shall be identified by above grade signs. Such signs shall be designed and constructed in accordance with the provisions of the Uniform Statewide Building Code.
- e. ~~All lighting fixtures used to illuminate off street parking areas shall be designed to minimize glare and intrusion into residential uses.~~
 ADD: Lighting of Parking Areas. Where ten (10) or more parking spaces are required, the area shall be illuminated to an appropriate and reasonable level.
1. Light sources shall be directed in such a manner as to protect the privacy of adjoining properties.
 2. Lights shall be shielded and directed downward to the ground.
 3. Maximum illumination along property lines shall not exceed 0.5-foot-candle and shall be illustrated on the site plan via lighting contours.
 4. Site plan approval is required prior to construction of any parking lot.
- f. No parking area shall be located in such a manner as to constitute a traffic hazard for vehicles entering or exiting such parking area.

13-6 Access to Spaces

All parking areas shall be served with adequate interior aisles and ingress and egress drives.

- a. Location and design of entrances and exits shall be in accord with the requirements of all applicable regulations and standards. In general, there shall be no more than one entrance and one exit, or one combined entrance and exit along any single street. Landscaping, curbing, or approved barriers shall be provided along lot boundaries to control entrance and exit of vehicles or pedestrians.

- b. Parking Lot Aisle Width (minimums)
 - 1. Aisle width in parking lots shall be as prescribed in Table 13-1C-4.1 (below);

Parking Space Angle (degrees)	1-way Aisle (feet)	2-way Aisle (feet)
Parallel (0°)	12	20
30	12	20
45	15	20
60	18	22
90	20	24

13-7 Method of Determining Number of Spaces Required

- a. Where fractional spaces result, the parking spaces required shall be construed to be the next highest whole number.
- b. Employee based parking requirements shall be computed on the basis of the maximum number of employees on the premises at one time.
- c. In the case of mixed or joint use of a structure or premises, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
- d. Any use or structure which is nonconforming in regards to the parking requirement shall not be required to add additional spaces to meet such requirements when any change or expansion of use or structural alteration does not result in an increase to the amount of parking required. However, whenever any change in use or structural alteration increases the amount of parking required, whether such was previously conforming or nonconforming in regards to parking, additional spaces corresponding to the increased requirement shall be provided.
- e. Parking areas serving more than ten (10) vehicles may provide thirty percent (30%) of those spaces as compact parking spaces.
- f. Restaurants having ownership or access to piers may designate 20% of the available number of transient slips towards the required number of parking spaces.

13-8 Number of Spaces Required

Except as otherwise provided for by this Ordinance, or by conditional use permit, parking spaces shall be provided as follows. The parking space requirements for a use not specifically listed in the following schedule shall be the same as for a listed use with the most similar parking demands.

USE OR USE CATEGORY	NUMBER OF PARKING SPACES REQUIRED
Arts & Crafts Studio	1 per 400 square feet of floor area.
Amusement Parks	1 per 4 persons authorized occupancy
Auction Houses	1 per 400 square feet of floor area or 1 per 4 persons authorized occupancy, whichever is greater.

USE OR USE CATEGORY	NUMBER OF PARKING SPACES REQUIRED
Auditoriums, theaters, gymnasiums, stadiums, arenas, conference centers	1 per 4 seats or seating spaces
Automobile Service Stations	2 spaces per bay plus 1 per employee.
Ball Fields	1 per 4 seats or seating spaces.
Bowling Alleys	2 per lane plus 1 per employee.
Business Service and Supply Establishments, service establishments	1 per 400 square feet of gross floor area plus 1 per employee.
Car Washes, Automobile Cleaning & Detailing Facilities	2 per bay plus 1 per employee.
Places of Worship	1 per 4 seats or seating spaces in main assembly area.
Civic, Social or Fraternal facility	1 per 4 seats or seating spaces in main assembly area.
Commercial Recreation Facilities	1 per 200 square feet of floor area or every 4 seats or seating.
Communication Facilities	Minimum of 1 space plus 1 per employee.
Community Centers	10 plus 1 per 400 square feet of floor area in excess of 2,000 square feet.
Convenience Stores	8 per 1,000 gross floor area plus 1 per employee.
Day Care Centers, Family Day Homes	0.19 space per child for a center which has a maximum daily enrollment of 99 children or less. 0.16 per child for a center with enrollment of 100 children or more. Plus 1 for each on site employee
Duplex	2 off street spaces per unit
Elementary Schools, Junior High Schools	1 per 5 seats or seating spaces in main assembly area.
Emergency Services Facilities	Adequate space to accommodate all motor vehicles operated in connection with such use and 2 per each such vehicle.
Financial Institutions	1 per 400 square feet of floor area.
Flea Markets	1 per 400 square feet of floor area plus 1 per vendor.
Funeral Homes	1 per 4 seats plus 1 per 2 employees plus 1 per vehicle used in connection with the business.
Golf Cart, Moped & Bicycle Sales & Rental Establishments	5 spaces plus one per employee.
Golf Courses	3 per hole plus 1 per employee

USE OR USE CATEGORY	NUMBER OF PARKING SPACES REQUIRED
Golf Driving Ranges	1 per tee
High Schools	1 per 4 seats or seating spaces in main assembly area
Horticultural Facilities	2 plus 1 per 400 square feet of retail area
Kennels	1 per 400 square feet of gross floor area, including runs, plus 1 per employee.
Libraries	10 plus 1 per 400 square feet of floor area in excess of 2,000 square feet.
Major Home Occupations	Unless specified by conditional use permit, 1 parking space in addition to the parking spaces required for the residential use.
Manufacturing or Industrial establishments, research or testing laboratories, wholesale, warehouses, or similar establishments	1 per employee plus 1 per company vehicle or piece of mobile equipment.
Marinas, docks, & boating facilities, commercial	1 per 3 boat slips.
Medical Clinics	2 per treatment room plus 1 per employee.
Minor Home Occupations	No additional parking required.
Mobile Homes	2 per unit off street
Multi-family Dwellings	1.5 per unit
Museums	10 plus 1 per 400 square feet of floor area in excess of 2,000 square feet.
Nightclubs	1 per 2 employees plus 1 per 4 persons authorized occupancy
Nursing Homes	1 per 3 beds.
Playgrounds	1 per 250 square feet of usable recreational area.
Performing Arts Studio	1 per 200 square feet of floor area or 1 per 4 persons authorized occupancy, whichever is greater.
Professional Offices	2 spaces plus 1 per 400 square feet of floor area.
Public Service Training Facility	1 per 2 students plus 1 per instructor
Public Utility Establishments	1 per employee plus 1 per company vehicle and piece of mobile equipment.
Restaurants	1 space per 4 seats plus 1 per 2 employees.

USE OR USE CATEGORY	NUMBER OF PARKING SPACES REQUIRED
Retail Establishments	1 per 200 square feet of floor area.
Rooming Houses, Bed and Breakfasts	2 spaces plus 1 per sleeping room
Self Storage Warehouse	1 per employee plus 1 per 8 units
Shopping Centers	1 space per 200 square feet of gross floor area.
Single Family Attached Dwellings	2 spaces onsite.
Single Family Detached Dwellings	2 spaces onsite.
Tennis Courts (outdoors)	2 spaces per court.
Tourist Homes, Motels, Hotels	5 spaces plus 1 per sleeping room or suite.
Vehicle Major Service Stations	2 per bay plus 1 per employee.
Vehicular Sales, Service and Supply Establishments	5 spaces plus 2 per bay plus 1 per employee.
Veterinary Hospitals	2 per treatment room or veterinarian plus 1 per employee.
Wayside Stands	1 per 100 square feet of sales display, 3 minimum.

Use category	Use	Spaces Required	Unit of Measure	Notes
Residential	Duplex, multi family dwelling, Single Family and Townhouse	2	Dwelling unit	*garage spaces shall not count toward this requirement
Commercial	Accommodations and Lodging	1	Guest unit	*See Section 13-9 - loading requirements
	Commercial and Retail (excluding Shopping Centers)	1	300 sf	*See Section 13-9 - loading requirements
	Commercial Marinas, docks, and boating facilities	1	per 3 boat slips	
	Office and Warehouse, including Medical Office	1	300 sf	*See Section 13-9 - loading requirements
	Restaurant, Bar, Brewery, Night club, lounge including associated decks or plazas	2	100 sf	*See Section 13-9 - loading requirements and Section 13-10- Stacking Spaces Section
	Shopping center	1	250 sf	*See Section 13-9 - loading requirements and Section 13-10- Stacking Spaces Section
	Vehicle Service Stations including Vehicle cleaning facilities	2	Per bay	*See Section 13-9 - loading requirements and Section 13-10- Stacking Spaces Section
	Church or place of public assembly	4	100 sf of main assembly	*See Section 13-9 - loading requirements
Civic	Government Facility	1	300 sf	
	Medical Care Facility, such as Nursing Home or Hospital	2	Room	*See Section 13-9 - loading requirements
	School: Middle, Primary, Pre School, Educational Nursery, Day Care, and similar use	3	Classroom	

	School: Secondary/High School/Technical	5	Classroom	
Recreation	Sports Complex	1	Per 4 seats or seating spaces	
	Golf Courses and Ranges	2	Per tee	
	Bowling Alleys	2	Per lane	

13-9 Loading Requirements

- a. For any of the uses which are noted as requiring loading requirements, one standard loading space for the first 15,000 square feet of gross floor area, plus one space for each additional 25,000 square feet shall be provided.
- b. Standard loading spaces shall be a minimum 15 feet in width and 30 feet in length and provide a minimum vertical clearance of 15 feet; provided, however, that when loading spaces are located alongside each other, additional loading spaces need only be a minimum of 12 feet in width. All uses which are required to provide a standard loading space shall provide an entrance and circulation system which can accommodate an American Association of State Highway and Transportation Officials (AASHTO) SU Design Vehicle.

13-10 Stacking Spaces

All uses which include a drive-up window or which are characterized by patrons remaining in their vehicles to receive service shall provide stacking spaces in order to alleviate traffic congestion. Stacking spaces shall be a minimum of ten (10) feet in width inclusive of gutter pans and eighteen (18) feet in length. All stacking areas must be separate from other circulation aisles and parking spaces. The use of a minimum five (5) foot landscaped island with curbing is recommended to channelize traffic. When counting the minimum number of spaces required in any stacking lane, the space at the point of service shall be counted as one of the minimum total required stacking spaces. The following shall be the minimum number of spaces required:

- a. Food Restaurants
A minimum of ten (10) stacking spaces shall be required for fast food restaurants with driveup windows. The distance shall be measured from the drive-up window.
- b. Car Washes

- A minimum of seven (7) stacking spaces per car wash bay shall be required.
- c. Financial Institution Drive-up Windows
The minimum number of stacking spaces required for each teller, customer window or automatic teller machine (ATM) serving a financial institution shall be three (3) stacking spaces per lane and per window. However, the Town Council may require additional stacking spaces based on site conditions and safety considerations during review of the special exception application requesting the use. Such stacking lanes shall be used solely for drive-up window vehicle stacking and shall not conflict or extend into vehicle parking areas, drive aisles or loading spaces and shall be screened to avoid being a dominant visual feature of the site when viewed from adjacent streets.
 - d. Other Uses
For other uses not specifically provided for herein, the Zoning Administrator shall make a determination regarding the number of stacking spaces required.

13-11 Additional Requirements Including But Not Limited To:

- a. Chesapeake Bay Act: refer to Article 22 of this Ordinance.
- b. Flood Plain: refer to Article 21 of this Ordinance.
- c. Landscaping: refer to Article 24 of this Ordinance.
- d. Signs: refer to Article 12 of this Ordinance.
- e. Site Plan Requirements: refer to Article 14 of this Ordinance.

Definitions to be added to Article 20

Permeable pavements Pervious concrete, porous asphalt, or permeable interlocking pavers that infiltrate, treat, and/or store rainwater where it falls. **(EPA DEFINITION)**

Section needs to be added to Article 18 Misc.

18-5 Parking, Storage or Use of Major Recreational Equipment, Mobile Buildings and Trailers

- A. Major recreational equipment including campers, motor homes, camper trailers, boats and personal watercraft may be parked or stored in an open area on any lot in any residential district on that portion of the lot between the street and the front of the main structure only in the event that the clearance between the main structure and the property line does not allow adequate room to place such equipment behind the front corners of the main structure. Any such major recreational equipment placed in front of the main structure must have a minimum clearance of ten (10) feet between the recreational equipment and the front property line and may not hinder visibility or obstruct pedestrian or vehicle traffic. No such equipment or vehicle shall be used for living, sleeping, business or housekeeping purposes, and no such equipment or vehicle shall be used for business purposes in any district except as may be allowed by temporary or special use permits.

ARTICLE 13 PARKING

Statement of Intent

The purpose of this Article is to provide for adequate parking while ensuring the welfare of pedestrians and the harmonious, orderly movement of motor vehicles. The parking requirements in this Article do not limit special requirements which may be imposed with planned unit developments, conditional uses or any other land use permit.

13-1 General Requirements

All structures built and all uses established shall provide accessory parking in accordance with this Article.

- a. No zoning permit for any structure or use in any district shall be approved unless there is included with the plan for such a structure or use, a plat plan showing the required parking spaces.
- b. No occupancy permit shall be issued unless the required facilities have been provided in accordance with those shown on the approved plan.
- c. The parking requirements shall be in addition to space provided for storage of other vehicles used in connection with any permitted use.
- d. Exclusive of private residential garages, all parking facilities shall be used solely for the parking of vehicles in operating condition by patrons, occupants, or employees of the use to which such parking serves.
- e. Stacked parking (defined as parking in such a manner so that one vehicle obstructs egress of another vehicle from a parking area or driveway) is not allowed except for single family residential buildings. This shall not include drive-thru lanes normally associated with restaurants or banks.
- f. Enclosed garages shall not be credited towards meeting the required number of parking spaces with the exception of hotels/motels, parking decks, commercial parking garages or public parking garages.
- f. The number and dimensions of handicap accessible parking spaces shall be required in accordance with the Federal Americans with Disabilities Act (ADA).

13-2 Determination of Parking Spaces Provided

- a. Within any zoning district, off-street parking credited toward meeting the requirements of this Article shall be located on the same lot as the structure or use to which they are accessory or on any lot either leased or under the same ownership of the use provided that the zoning classification for that district provides for parking lots as a use.
- b. Within any Commercial Zoning District when the parking required by any use is transitory in nature on-street parking located within five hundred (500) feet of the structure or use is located may be credited toward meeting the requirements of this Article.
- c. Within the Resort Commercial Zoning District when the parking required by any use is transitory in nature any on-street parking located within five hundred (500) feet of the lot on which the structure or use is located, may be credited toward meeting the requirements of this Article.
- d. In the case of any use not addressed by the schedule in section 13-8, the Zoning

Administrator shall determine the appropriate number of parking spaces based on a use that most closely approximates the proposed use through information provided from the developer or owner of the proposed use, or through consultation with other communities containing similar uses to the proposed use, or through a combination of these methods.

- e. All off street parking spaces associated with residential uses shall be provided on the same lot. Parking for multi-family dwellings, townhomes or other residential units as part of a planned unit development shall be located in accordance with the approved site development plan.
- f. Any existing non-residential use located within five hundred (500) feet of a municipal or publicly owned parking lot shall be exempt from this ordinance.

13-3 Dimensional Regulations

For the purposes of this Article, parking spaces shall meet the following dimensional standards.

- a. A standard perpendicular or diagonal parking space shall be no less than eighteen (18) feet in length and nine (9) feet in width. A compact perpendicular or diagonal parking space shall be no less than sixteen (16) feet in length and eight (8) feet in width.
- b. A standard parallel parking space shall be no less than twenty-two (22) feet in length and eight (8) feet in width. A compact parallel parking space shall be no less than eighteen (18) feet in length and seven (7) feet in width.
- c. All handicapped parking spaces shall conform to state and federal codes.

13-4 Improvement of Parking Areas

- a. Parking facilities shall be surfaced with permeable pavement as defined in Article 20 of the Colonial Beach Zoning Ordinance in accordance with an engineered site plan approved by the Zoning Administrator. Off-street parking areas shall be maintained in a clean and orderly manner. The owner or lessee of off-street parking is responsible for maintaining the permeable pavement through a Best Management Practice Agreement that shall be recorded at the Westmoreland County Commissioners Office. The owner or Lessee of off street parking shall endeavor to maintain such in as dust-free a manner as possible through the employment of appropriate construction materials.
- b. Parking spaces shall be separated from walkways, sidewalks, or alleys in such a manner so that vehicles cannot protrude over such walkways, sidewalks, or alleys.
- c. Parking facilities shall be used solely for the parking of vehicles in operating condition by patrons, occupants, or employees of the use to which parking serves.
- d. Parking lots shall have landscaping.
 - 1. The perimeter of all parking lots shall be landscaped using a combination of trees and shrubs as shown on figure 13-4.1.
 - 2. For parking lots with less than 10 spaces, a minimum of at least 5% of the interior portions of a parking lot shall be landscaped for the purpose of providing shade trees.
 - 3. Such interior landscaped areas shall be provided on bio-swale islands and in continuous bio-swale strips extending along the length of the parking bay
 - 4. Within the parking lot, bio-swale islands and landscaped areas should be used to delineate traffic and pedestrian circulation patterns.
 - 5. For parking lots with less than 10 spaces there shall be one (1) low shrub planted for every five (5) spaces or portion thereof.
 - 6. Parking lots shall have two (2) medium shade trees where ten (10) or fewer

- spaces are required.
7. Parking lots shall have two (2) medium shade trees for every 10-parking spaces or fraction of 10-spaces.
 8. Trees shall be planted within swale islands which are no smaller than 10-feet by 5-feet, a total of 50-square feet. Trees may be up-limbed to 12 feet above grade to provide visibility.
 9. Shrubs shall be a minimum of one and a half (1.5) feet in height at time of planting and be maintained at a maximum height of three (3) feet.
 10. There shall be a minimum of one (1) shrub for every five (5) feet or portion thereof along the boundaries of the parking lot.
 11. Trees (deciduous) shall have a minimum caliper of 2.5 inches at time of planting and a maximum canopy of 30-feet when mature. Evergreen trees shall be no less than 6-feet tall at time of planting. The minimum distance between plantings shall be 10 feet.
 12. Trees may be up-limbed (trimmed) up to 12-feet from the final grade. Topping of trees (unless damaged by storm) is prohibited.
 13. Design Flexibility - If an applicant can demonstrate that alternative landscaping can meet the intent of this section through the submittal of such an alternative landscape plan, the Zoning Administrator can then accept that plan or modify the alternative plan and design so as to comply with the intent of this section and its provisions. Additionally, the requirements of this section may be lowered by the Director.

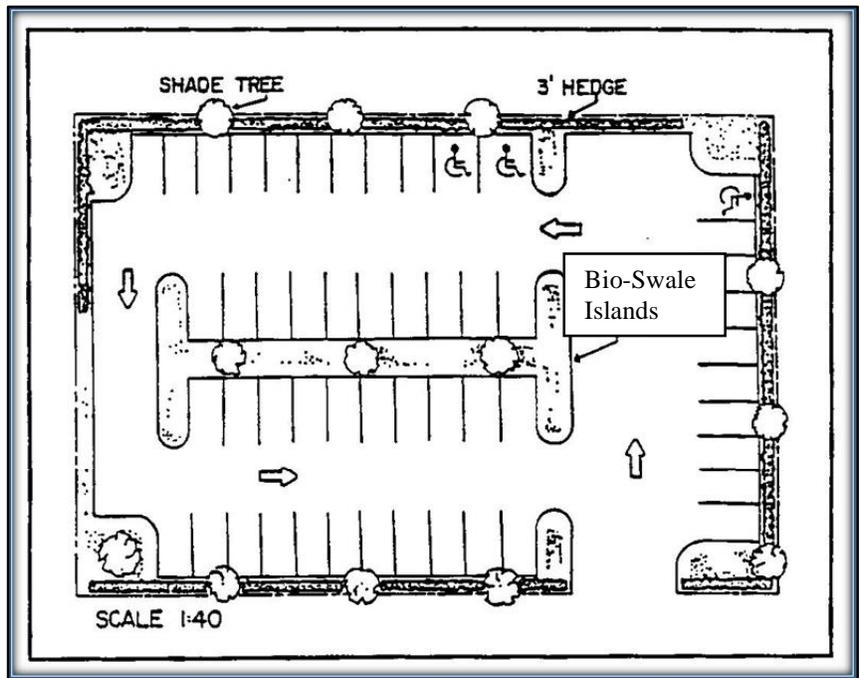


Figure 13-4.1

- d. Signs or markers shall be used as necessary to ensure safe and efficient traffic operation. Parking spaces in lots of more than ten spaces shall be marked by painted lines or curbs or other means indicating individual spaces. All compact spaces shall be identified and designated as such. All handicapped parking spaces shall be identified by above grade signs. Such signs shall be designed and constructed in accordance with the provisions of the

Uniform Statewide Building Code.

- e. Lighting of Parking Areas. Where ten (10) or more parking spaces are required, the area shall be illuminated to an appropriate and reasonable level.
 - 1. Light sources shall be directed in such a manner as to protect the privacy of adjoining properties.
 - 2. Lights shall be shielded and directed downward to the ground.
 - 3. Maximum illumination along property lines shall not exceed 0.5-foot-candle and shall be illustrated on the site plan via lighting contours.
 - 4. Site plan approval is required prior to construction of any parking lot.
- f. No parking area shall be located in such a manner as to constitute a traffic hazard for vehicles entering or exiting such parking area.

13-5 Access to Spaces

All parking areas shall be served with adequate interior aisles and ingress and egress drives.

- a. Location and design of entrances and exits shall be in accord with the requirements of all applicable regulations and standards. In general, there shall be no more than one entrance and one exit, or one combined entrance and exit along any single street. Landscaping, curbing, or approved barriers shall be provided along lot boundaries to control entrance and exit of vehicles or pedestrians.
- b. Parking Lot Aisle Width (minimums)
 - 1. Aisle width in parking lots shall be as prescribed in Table 13-6.1 (below);

Parking Space Angle (degrees)	1-way Aisle (feet)	2-way Aisle (feet)
Parallel (0°)	12	20
30	12	20
45	15	20
60	18	22
90	20	24

13-6 Method of Determining Number of Spaces Required

- a. Where fractional spaces result, the parking spaces required shall be construed to be the next highest whole number.
- b. Employee based parking requirements shall be computed on the basis of the maximum number of employees on the premises at one time.
- c. In the case of mixed or joint use of a structure or premises, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
- d. Any use or structure which is nonconforming in regards to the parking requirement shall not be required to add additional spaces to meet such requirements when any change or expansion of use or structural alteration does not result in an increase to the amount of parking required. However, whenever any change in use or structural alteration increases the amount of parking required, whether such was previously conforming or nonconforming

in regards to parking, additional spaces corresponding to the increased requirement shall be provided.

- e. Parking areas serving more than ten (10) vehicles may provide thirty percent (30%) of those spaces as compact parking spaces.
- f. Restaurants having ownership or access to piers may designate 20% of the available number of transient slips towards the required number of parking spaces.

13-7 Number of Spaces Required

Except as otherwise provided for by this Ordinance, or by conditional use permit, parking spaces shall be provided as follows. The parking space requirements for a use not specifically listed in the following schedule shall be the same as for a listed use with the most similar parking demands.

Use category	Use	Spaces Required	Unit of Measure	Notes
Residential	Duplex, multi family dwelling, Single Family and Townhouse	2	Dwelling unit	*garage spaces shall not count toward this requirement
Commercial	Accommodations and Lodging	1	Guest unit	*See Section 13-9 - loading requirements
	Commercial and Retail (excluding Shopping Centers)	1	300 sf	*See Section 13-9 - loading requirements
	Commercial Marinas, docks, and boating facilities	1	per 3 boat slips	
	Office and Warehouse, including Medical Office	1	300 sf	*See Section 13-9 - loading requirements
	Restaurant, Bar, Brewery, Night club, lounge including associated decks or plazas	2	100 sf	*See Section 13-9 - loading requirements and Section 13-10- Stacking Spaces Section
	Shopping center	1	250 sf	*See Section 13-9 - loading requirements and Section 13-10- Stacking Spaces Section
	Vehicle Service Stations including Vehicle cleaning facilities	2	Per bay	*See Section 13-9 - loading requirements and Section 13-10- Stacking Spaces Section

	Church or place of public assembly	4	100 sf of main assembly	*See Section 13-9 - loading requirements
Civic	Government Facility	1	300 sf	
	Medical Care Facility, such as Nursing Home or Hospital	2	Room	*See Section 13-9 - loading requirements
	School: Middle, Primary, Pre School, Educational Nursery, Day Care, and similar use	3	Classroom	
	School: Secondary/High School/Technical	5	Classroom	
Recreation	Sports Complex	1	Per 4 seats or seating spaces	
	Golf Courses and Ranges	2	Per tee	
	Bowling Alleys	2	Per lane	

13-8 Loading Requirements

- a. For any of the uses which are noted as requiring loading requirements, one standard loading space for the first 15,000 square feet of gross floor area, plus one space for each additional 25,000 square feet shall be provided.
- b. Standard loading spaces shall be a minimum 15 feet in width and 30 feet in length and provide a minimum vertical clearance of 15 feet; provided, however, that when loading spaces are located alongside each other, additional loading spaces need only be a minimum of 12 feet in width. All uses which are required to provide a standard loading space shall provide an entrance and circulation system which can accommodate an American Association of State Highway and Transportation Officials (AASHTO) SU Design Vehicle.

13-9 Stacking Spaces

All uses which include a drive-up window or which are characterized by patrons remaining in their vehicles to receive service shall provide stacking spaces in order to alleviate traffic congestion. Stacking spaces shall be a minimum of ten (10) feet in width inclusive of gutter pans and eighteen (18) feet in length. All stacking areas must be separate from other circulation aisles and parking spaces. The use of a minimum five (5) foot landscaped island with curbing is recommended to channelize traffic. When counting the minimum number of spaces required in any stacking lane, the space at the point of service shall be counted as one of the minimum total required stacking spaces. The following shall be the minimum number of spaces required:

a. Food Restaurants

A minimum of ten (10) stacking spaces shall be required for fast food restaurants with drive-up windows. The distance shall be measured from the drive-up window.

b. Car Washes

A minimum of seven (7) stacking spaces per car wash bay shall be required.

c. Financial Institution Drive-up Windows

The minimum number of stacking spaces required for each teller, customer window or automatic teller machine (ATM) serving a financial institution shall be three (3) stacking spaces per lane and per window. However, the Town Council may require additional stacking spaces based on site conditions and safety considerations during review of the special exception application requesting the use. Such stacking lanes shall be used solely for drive-up window vehicle stacking and shall not conflict or extend into vehicle parking areas, drive aisles or loading spaces and shall be screened to avoid being a dominant visual feature of the site when viewed from adjacent streets.

c. Other Uses

For other uses not specifically provided for herein, the Zoning Administrator shall make a determination regarding the number of stacking spaces required.

13-10 Additional Requirements Including But Not Limited To:

- a. Chesapeake Bay Act: refer to Article 22 of this Ordinance.
- b. Flood Plain: refer to Article 21 of this Ordinance.
- c. Landscaping: refer to Article 24 of this Ordinance.
- d. Signs: refer to Article 12 of this Ordinance.
- e. Site Plan Requirements: refer to Article 14 of this Ordinance.

Definitions to be added to Article 20

Permeable pavements Pervious concrete, porous asphalt, or permeable interlocking pavers that infiltrate, treat, and/or store rainwater where it falls.

PLANNING & COMMUNITY DEVELOPMENT STAFF REPORT	
PROJECT NAME: Article 24-Landscape Ordinance Amendments	Town Council Meeting Date:
Case Number: ZOA-02-2016	Applicant: Town
Project Status: <input type="checkbox"/> Preliminary Sketch Application <input type="checkbox"/> Rezoning <input type="checkbox"/> Preliminary Plat Use <input type="checkbox"/> Conditional Use <input type="checkbox"/> Preliminary Final Plat Plans <input type="checkbox"/> Concept Plans <input type="checkbox"/> Final Plat <input checked="" type="checkbox"/> Text Amendment <input type="checkbox"/> Vacation	Owner: NA
	Location: NA
	Voting District: NA
	Parcel Number: NA
	Total Site Area: NA
	Site Area Developed: NA
Existing Structures: NA	CBPA: NA
Flood Hazard: NA	Additional Site Data: NA
Current Zoning: NA	
Action Request: 1 st Review	
	Staff: B. McHugh Date: 07/07/2016

Prior Actions / Case History

Rezoning: NA
Conditional Use Permit: NA
Variances: NA
Subdivisions: NA
Other Data: NA

BACKGROUND:

Staff reviewed and amended Article 24 of the Zoning Ordinance which addresses landscaping requirements in the Town.

DISCUSSION:

Some of the major amendments to the article include amending the "transitional screening" section to include a buffer chart and more detailed requirements. We added additional native species as well as definitions to be added to Article 20.

STAFF RECOMMENDATION:

Staff believes that by supporting these amendments, it promotes public health and safety and creates a more navigable ordinance. After the Planning Commission

considers these changes and provides staff with any additional changes staff recommends that the Planning Commission authorize advertisement for a Public Hearing.

ARTICLE 24 - LANDSCAPING PROVISIONS

Statement of Intent

It is recognized that the planting of trees and vegetation, as well as the conservation of existing trees and vegetation, can serve to significantly improve the quality of the physical environment. It is also recognized that the uncontrolled cutting or destruction of trees and wooded areas can significantly damage the physical environment, causing increased municipal costs, the encouragement of substandard development, and the reduction of property values. It is therefore in the interest of the public health, safety, and welfare to enact regulations that would promote the planting and preservation of landscape materials which:

- A. provide screening between incompatible land uses, and
- B. provide for the protection of ground water and air quality, and
- C. promote traffic safety by controlling views, and
- D. provide shade and enhancement of urban areas, and parking lots, and
- E. provide a natural habitat for wildlife

The Town of Colonial Beach Master Tree Plan should be consulted for guidance in determining the type of tree to be planted

24.1 Application of This Article.

- A. Except as otherwise provided, the landscaping requirements of this Article shall apply to:
 - 1. Development, public and private, where site plans are required in accordance with Article 14 of this Ordinance
 - 2. Subdivisions
 - 3. Industrial and commercial development
 - 4. Development of public or private parking lots
- B. Notwithstanding Section 24.1(A), the following shall be exempt from the requirements of this Article.
 - 1. Improvements and/or repairs to existing non-residential structures or buildings which do not result in (i) expansion, (ii) reconstruction, (iii) changes in the type of occupancy as set forth by the Virginia Statewide Building Code (USBC) or (iv) any increase in the impermeable surface area
 - 2. The subdivision of one (1) parcel into two (2) parcels, when made in accordance with Section 5-6 of the Subdivision Ordinance of the Town of Colonial Beach (Minor Subdivisions)

24.2 Native Species

- A. All new plantings shall be native species as specified in the **Table 24.9** attached to this section of the ordinance or as identified in the pamphlet entitled "*Native Plants for Conservation, Restoration and Landscaping for Eastern Virginia's Coastal Plain*", and available from the Department of Conservation and Recreation, Chesapeake Bay Program's web site. Copies of this document are also available from the Colonial Beach Department of Planning & Community Development
- B. The requirement to use of native species for new plantings includes replacement of

dead/diseased trees removed under Article 22 of this ordinance

24.3 Landscaping Plan.

- A. All landscaping material required by the provisions of this Article shall meet the following minimum size standards:
 - 1. All shade trees shall be at least ten (10) to twelve (12) feet in height and shall have a caliper, at four and one half ft. (4.5) feet from the ground, of two (2) to three (3) inches when planted
 - 2. Existing and proposed parking spaces, other vehicle areas, access aisles, driveways
 - 3. The location, size and description of all landscaping materials and tree cover, and
 - 4. Verification that the minimum landscaping and screening requirements specified in this Article will be met
- B. If all elements of the landscaping plan are already included on the site plan, the requirement of a separate landscaping plan may be waived
- C. A Zoning Permit shall not be issued until such time as the landscaping plan is approved, a Certificate of Occupancy shall not be issued until the landscaping is installed or bonded

24.4 General Requirements and Minimum Standards.

- A. All landscaping material required by the provisions of this Article shall meet the following minimum size standards:
 - 1. All shade trees shall be at least ten (10) to twelve (12) feet in height and shall have a caliper, at four and one-half ft. (4.5) feet from the ground, of two (2) to three (3) inches when planted
 - 2. All flowering or ornamental trees must be at least six (6) feet in height and shall have a caliper, at four and one-half ft. (4.5) from the ground, and two (2) inch caliper at breast height when planted
 - 3. All shrubs must be at least one (1) gallon container size when planted
- B. All plantings must be in a mulched planting bed
- C. Existing tree cover shall be retained to the greatest extent possible and taken fully into account in the design or the improvements and grading of any property
- D. Existing trees preserved on the site may be used to satisfy the requirements for landscaping as long as the following conditions are met:
 - 1. Existing trees must be at least three (3) inch caliper at breast height
 - 2. Be in healthy condition
 - 3. Be protected from all construction activity
- E. Landscaping 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. Whenever the enforcement of the provisions of this Article would result in a traffic hazard, the Zoning Administrator may waive such requirements
- F. Certificates of occupancy may be withheld pending completion of the landscaping in accordance with the approved landscaping plan. However, a certificate of occupancy may be issued prior to the completion of the landscaping if a certified check, irrevocable letter of credit or other surety securing completion of such landscaping is obtained prior to the issuance of such certificate

24.5 Required Landscaping - Street Frontage

Street trees shall be required along any existing and proposed street right of way for any development in accordance with Section 24.1(A) of this Article and not exempted in Section 24.1(B) of this Article

- A. Along any street right of way on which the utility pole for power, street lights and/or telephone service is or will be located, at least one (1) flowering or ornamental tree shall be planted for every 25-feet of street frontage, or portion thereof, at approximately 20-feet on center
- B. Along any street right of way on which the utility pole for power, street lights and/or telephone service are not and will not be located, one (1) shade tree shall be planted for every 50-feet, or portion thereof, of road frontage or one (1) flowering or ornamental tree shall be planted for every 25-feet of street frontage, or portion thereof, at approximately 20-feet on center

24.6 Required Landscaping - Parking Lots

The following shall be required for parking lots consisting of five (5) or more spaces:

- A. When a parking lot fronts on an existing or proposed street, trees shall be planted in accordance with Section 24.4. An additional row of low shrubs shall be required between the street and the parking lot consisting of at least one (1) low shrub for every five (5) feet of street frontage or portion thereof
- B. Interior landscaping for parking lots shall consist of:
 - 1. For parking lots consisting of less than twelve (12) parking spaces, one (1) low shrub shall be planted for every five (5) spaces or portion thereof
 - 2. For parking lots consisting of twelve (12) or more spaces, one (1) shade tree shall be planted for every twelve (12) parking spaces or portion thereof.

24.7 Required Landscaping - Transitional Screening.

- A. In order to reduce the negative impact of adjoining incompatible uses, transitional screening shall be required for the following:
 - 1. Any development within a Light Industrial, M-1 Zoning District shall be screened along all property lines which border any zoning district other than Light Industrial, M-1
 - 2. Commercial uses excluding home occupations shall be screened along all property lines which border the following:
 - a. Residential Limited, R-1 Zoning District
 - b. Residential General, R-2 Zoning District
 - c. All residential uses within an Agricultural, A-1 Zoning District
 - 3. Multifamily dwellings and mobile home parks shall be screened along all property lines which border residential uses

For the purpose of this Section any undeveloped lot or parcel within any zoning district which allows residential uses by right shall be treated as if a residential use exists on that lot or parcel.

- B. The transitional screening required by this Section shall be:
 - 1. At least six (6) feet in height when planted
 - 2. Consist of one row of trees planted not more than ten (10) feet on center or two staggered rows of trees planted not more than fifteen (15) feet on center
- C. Alternate methods of screening such as walls or earth berms may be used in lieu of vegetative screening with approval of the Zoning Administrator
- D. The transitional screening required by this Section shall be consistent with Sections 24.3 through 24.6 of this article

24.8 Maintenance.

The property owner and developer shall be responsible for the maintenance, repair, and replacement of all landscaping material required by the provisions of this Article. The maintenance provisions include the following:

- A. All required plant material shall be maintained in good health and shall conform to the Association of Nurserymen Standards for Nursery Stock
- B. Any dead, unhealthy, or missing plants must be replaced within six (6) months with vegetation which conforms to the planting standards of this Article
- C. All plant material shall be kept free of refuse and debris
- D. All plant material shall be maintained in a manner such that it does not become a traffic hazard

Table 24.9 Native Species for Landscaping in Colonial Beach, Virginia

Latin Name	Common Name	Notes	Light	Height (ft.)
Trees for Shade				
<i>Amelanchier arborea</i> ; <i>A. canadensis</i>	Serviceberry, AKA shadbush	Early blossom and important early summer fruit source for birds	PSH	35
<i>Carya ovata</i> ; <i>C. glabra</i>	Hickory	Tap root allows gardening beneath; yellow gold fall color	PSH to SU	70-90
<i>Cercis canadensis</i>	Eastern redbud	Pink spring bloom is early nectar source; summer foliage; fall seed pods	PSH	20-35
<i>Chionanthus virginicus</i>	Fringe tree	Berries on female; both showy in flower	PSH to SU	12-35
<i>Cornus florida</i>	Fowering dogwood	Four season interest; red seeds colorful and important food for migrating birds	PSH	15+
<i>Diospyros virginiana</i>	Persimmon	Interesting bark; fruit colorful and edible by humans [after heavy frost] and wildlife	PSH to SU	25-50
<i>Ilex opaca</i>	American holly	Evergreen; buy in fall when females have berries; assure male pollinator nearby or plant also	SH to SU	15-50
<i>Liquidambar styraciflua</i>	Sweetgum	Bark interest; fall color; cones & seeds	PSH to SU	60+
<i>Magnolia virginiana</i>	Sweetbay magnolia	Semi-evergreen; white flowers; seeds & pod	SH to SU	10-30
<i>Nyssa sylvatica</i>	Black gum	Early red fall color; blue drupes-attract and feed birds	PSH to SU	30-75

<i>Quercus coccinea</i> ; <i>Q. rubra</i>	Scarlett oak; red oak	Tap root allows gardening beneath; buy in fall to check leaf color	PSH to SU	70-90
<i>Quercus phellos</i> ; <i>Q. palustris</i>	Willow oak; pin oak	Fibrous roots; need consistent moisture	SH to SU	70-90
Shrubs for Shade				
<i>Aralia spinosa</i>	devil's walking stick	Outer fringe use due to thorns = anti-deer!; flower & fruits for birds and butterflies	PSH to SU	15-20
<i>Callicarpa americana</i>	beautyberry	Purple berries on stem in fall	PSH to SU	3-4
<i>Cephalanthus occidentalis</i>	Buttonbush	Needs consistent moisture; butterfly nectar; fruits for waterfowl	PSH-SH	6-12
<i>Clethra alnifolia</i>	Summer sweet	Summer bloom with fragrance and butterflies	PSH to SU	6-12
<i>Cornus alternifolia</i> ; <i>C. amomum</i> ; <i>C. racemosa</i> ; <i>C. sericea</i>	Pagoda, silky, gray, red osier or red twig dogwoods	Flowers and early fall fruits/foilage; colorful stems; choose species for best size and moisture for your site	SH to PSH to SU	6-30
<i>Ilex glabra</i> 'Nigra'	Inkberry	Evergreen; buy in fall when females have berries; assure male pollinator nearby or plant	PSH to SU	6
<i>Ilex glabra</i> 'Nigra'	Inkberry	Evergreen; buy in fall when females have berries; assure male pollinator nearby or plant also	PSH to SU	6
<i>Ilex verticillata</i> : 'Winter Red' and 'Jim Dandy'	Winterberry -female and male cultivars	Berrying females in sunniest position, male nearby OK in part shade; <u>1 male to 5 females</u>	PSH to SU	3-10
Latin Name	Common Name	Notes	Light	Height (ft.)
<i>Itea virginica</i> 'Henry's Garnet'	Virginia sweetspire	Spring bloom; fall foliage; best with moisture; will spread	PSH to SU	3-5
<i>Morella [Myrica] cerifera</i>	Southern wax myrtle	Evergreen; need females and male for berries in fall/winter	PSH to SU	5-15
<i>Sambucus canadensis</i>	Elderberry	Flowers and late summer fruits	PSH to SU	6
<i>Viburnum nudum</i>	Blackhaw viburnum	Flower and fruits	SH-SU	6-20

Perennials for Shade				
<i>Aquilegia canadensis</i>	Red columbine	A Hummingbird “must have”; unusual spring bloom then lovely foliage	PSH-SH	1-2
<i>Asclepias tuberosa</i> ; <i>A. speciosa</i>	Butterfly weed; milkweed	Monarch butterfly larval host; many butterfly species use for nectar	PSH-SU	1-3
<i>Chrysogonum virginianum</i>	Green and gold	Do not let dry out; semi-evergreen w/yellow spring bloom, sometimes reblooms	SH to SU	.5
<i>Conoclinium coelestinum</i>	Mistflower	Blue bloom; moist to avg.	PSH-SH	1-3
<i>Coreopsis auriculata</i> ; <i>C. lanceolata</i> ; <i>C. verticillata</i> ‘Zagreb’	Mouse-ear, lance-leaf or threadleaf coreopsis	Yellow blooms spring to fall if all three in garden	PSH-SU	1-2
<i>Echinacea purpurea</i>	Coneflower	Stick to species or ‘Magnus’; purple pink bloom with seeds attractive to goldfinches	PSH-SU	3
<i>Heuchera americana</i>	Alumroot	Evergreen foliage; hummingbird use	PSH-SH	2-3
<i>Kosteletzkya virginica</i>	Seashore mallow	Do not let dry out entirely; medium size white or pink bloom	PSH-SU	4
<i>Mertensia virginica</i>	Virginia bluebells	Ephemeral beauty; fairly easy to establish and spreads	PSH	1-2
<i>Monarda fistulosa</i>	Wild bergamot	Better than <i>M. didyma</i> for the coastal plain; pinkish; hummingbird	PSH-SU	3
<i>Penstemon digitalis</i>	White penstemon	White bloom; colorful stem and winter rosette	PSH-SU	2-3
<i>Phlox divaricata</i> ; <i>P. paniculata</i>	Wild blue phlox; garden phlox	May need protection from rabbits and voles; butterfly nectar	PSH;SU	.5-3
<i>Physostegia virginiana</i>	Obedient plant	White or pink varieties; hummingbird use	PSH-SU	3
<i>Rudbeckia fulgida</i> , <i>R. hirta</i> ; <i>R. triloba</i>	Blackeyed susan; brown-eyed susan	<i>R. hirta</i> self-seeds, thin out extras for best appearance; long bloom time results	PSH-SU	1-4
<i>Salvia lyrata</i>	Lyre-leaf sage	Early nectar source, evergreen or colored foliage	PSH-SU	.5

ARTICLE 24 ~~LANDSCAPING PROVISIONS~~
LANDSCAPING

Statement of Intent

It is recognized that the planting of trees and vegetation, as well as the conservation of existing trees and vegetation, can serve to significantly improve the quality of the physical environment. It is also recognized that the uncontrolled cutting or destruction of trees and wooded areas can significantly damage the physical environment, causing increased municipal costs, the encouragement of substandard development, and the reduction of property values. It is therefore in the interest of the public health, safety, and welfare to enact regulations that would promote the planting and preservation of landscape materials which:

- A. provide screening between incompatible land uses, and
- B. provide for the protection of ground water and air quality, and
- C. promote traffic safety by controlling views, and
- D. provide shade and enhancement of urban areas, and parking lots, and
- E. provide a natural habitat for wildlife

~~The Town of Colonial Beach Master Tree Plan should be consulted for guidance in determining the type of tree to be planted~~

~~24.1 Application of This Article.~~

~~A~~

~~24-1 Applicability~~

- ~~1.~~ Except as otherwise provided, the landscaping requirements of this Article shall apply to:
 - ~~a. 1.~~ Development, proposals for public and private facilities, where site plans are required in accordance with Article 14 of this Ordinance;
 - ~~b. 2.~~ Subdivisions;
 - ~~c. 3.~~ Industrial and commercial development;
 - ~~d. 4.~~ Development of public or private parking lots.

~~B. Notwithstanding Section 24.1(A), the following shall be exempt from the requirements of this Article.~~

~~1. 24-2 Exemptions~~

- 1. Improvements and/or repairs to existing non-residential structures or buildings which do not result in (i) expansion, (ii) reconstruction, (iii) changes in the type of occupancy as set forth by the Virginia Statewide Building Code (USBC) or (iv) any increase in the impermeable surface area
- 2. ~~2.~~ The subdivision of one (1) parcel into two (2) parcels, when made in accordance with Section 5-6 of the Subdivision Ordinance of the Town of Colonial Beach (Minor Subdivisions)

~~24.2-3 Native Species~~

- 1. All new plantings shall be native species as specified in the **Table 24-9-3.1** attached to this section of the ordinance or as identified in the pamphlet entitled "*Native Plants for Conservation, Restoration and Landscaping for Eastern Virginia's Coastal Plain*", and available from the Department of Conservation and Recreation, Chesapeake Bay Program's web site. Copies of this document are also available from the Colonial Beach

Department of Planning & Community Development

2. The requirement ~~to~~ use of native species for new plantings includes replacement of dead/diseased trees removed under Article 22 of this ordinance.

24-4 ~~24.3~~ — Landscaping Plan-

1. All landscaping ~~material~~ plans required by the provisions of this Article shall ~~meet~~ ~~the~~ include following minimum ~~size standards~~ specifications:
 - a. ~~1.~~ All shade trees shall be at least ten (10) to twelve (12) feet in height and shall have a caliper, at four and one half ft. (4.5) feet from the ground, of two (2) to three (3) inches when planted;
 - b. ~~2.~~ Show all existing and proposed parking spaces, other vehicle areas, access aisles, driveways;
 - c. ~~3.~~ Show the location, size and description of all landscaping materials and tree cover, and;
 - d. ~~4.~~ Verification that the minimum landscaping and screening requirements specified in this Article will be met.
- ~~B2.~~ If all elements of the landscaping plan are already included on the site plan, the requirement of a separate landscaping plan may be waived.
- ~~C3.~~ A Zoning Permit shall not be issued until such time as the landscaping plan is approved, a Certificate of Occupancy shall not be issued until the landscaping is installed or bonded.

24-5 ~~24.4~~ — General Requirements and Minimum Standards of Planting Materials

- ~~A1.~~ All landscaping material required by the provisions of this Article shall meet the following minimum size standards:
 - a. ~~1.~~ All shade trees shall be at least ten (10) to twelve (12) feet in height and shall have a 2.5 inch caliper, at four and one-half ft. (4.5) feet from the ground, of two (2) to three (3) inches when planted
 - b. ~~2.~~ All flowering or ornamental trees must be at least six (6) feet in height and shall have a 2.5 inch caliper, at four and one-half ft. (4.5) from the ground, and two (2) inch caliper at breast height when planted
 - c. ~~3.~~ All shrubs must be at least one (1) gallon container size when planted
2. ~~B.~~ All plantings must be in a mulched planting bed.
- ~~C3.~~ Existing tree cover shall be retained to the greatest extent possible and taken fully into account in the design or the improvements and grading of any property.
- ~~D4.~~ Existing trees preserved on the site may be used to satisfy the requirements for landscaping as long as the following conditions are met:
 - a. ~~1.~~ Existing trees must be at least three (3) inch caliper at breast height
 - b. ~~2.~~ Be in healthy condition
 - c. ~~3.~~ Be protected from all construction activity
- ~~E5.~~ Landscaping 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. Whenever the enforcement of the provisions of this Article would result in a traffic hazard, the Zoning Administrator may waive such requirements.
- ~~F6.~~ Certificates of occupancy may be withheld pending completion of the landscaping in accordance with the approved landscaping plan. However, a certificate of occupancy may be issued prior to the completion of the landscaping if a certified check, irrevocable letter of credit or other surety securing completion of such landscaping is obtained prior

to the issuance of such certificate.

24-6 ~~24.5~~ — Required Landscaping - Street Frontage

1. Street trees shall be required along any existing and proposed street right of way for any development ~~in accordance with Section 24.1(A) of this Article and not exempted in Section 24.1(B) of this Article~~ as specified below:
 - a. Along any street right of way on which the utility pole for power, street lights and/or telephone service is or will be located, at least one (1) flowering or ornamental tree shall be planted for every 25-feet of street frontage, or portion thereof, at approximately 20-feet on center
 - b. Along any street right of way on which the utility pole for power, street lights and/or telephone service are not and will not be located, one (1) shade tree shall be planted for every 50-feet, or portion thereof, of road frontage or one (1) flowering or ornamental tree shall be planted for every 25-feet of street frontage, or portion thereof, at approximately 20-feet on center

~~24.6~~ — Required Landscaping – Parking Lots

~~The following shall be required for parking lots consisting of five (5) or more spaces:~~

- ~~A. — When a parking lot fronts on an existing or proposed street, trees shall be planted in accordance with Section 24.4. An additional row of low shrubs shall be required between the street and the parking lot consisting of at least one (1) low shrub for every five (5) feet of street frontage or portion thereof~~
- ~~B. — Interior landscaping for parking lots shall consist of:
 1. — For parking lots consisting of less than twelve (12) parking spaces, one (1) low shrub shall be planted for every five (5) spaces or portion thereof
 2. — For parking lots consisting of twelve (12) or more spaces, one (1) shade tree shall be planted for every twelve (12) parking spaces or portion thereof.~~

~~24.7~~ — Required Landscaping – Transitional Screening.

- ~~A. — In order to reduce the negative impact of adjoining incompatible uses, transitional screening shall be required for the following:
 1. — Any development within a Light Industrial, M 1 Zoning District shall be screened along all property lines which border any zoning district other than Light Industrial, M 1
 2. — Commercial uses excluding home occupations shall be screened along all property lines which border the following:
 - a. — Residential Limited, R 1 Zoning District
 - b. — Residential General, R 2 Zoning District
 - c. — All residential uses within an Agricultural, A 1 Zoning District
 3. — Multifamily dwellings and mobile home parks shall be screened along all property lines which border residential uses~~
- ~~— For the purpose of this Section any undeveloped lot or parcel within any zoning district which allows residential uses by right shall be treated as if a residential use exists on that lot or parcel.~~
- ~~B. — The transitional screening required by this Section shall be:
 1. — At least six (6) feet in height when planted
 2. — Consist of one row of trees planted not more than ten (10) feet on center or two staggered rows of trees planted not more than fifteen (15) feet on center~~
- ~~C. — Alternate methods of screening such as walls or earth berms may be used in lieu of vegetative screening with approval of the Zoning Administrator~~

~~D. The transitional screening required by this Section shall be consistent with Sections 24.3 through 24.6 of this article~~

24-7 ~~24.8~~ Maintenance.

1. The property owner and/or developer shall be responsible for the maintenance, repair, and replacement of all landscaping material required by the provisions of this Article. The maintenance provisions include the following:
 - a. ~~A.~~ All required plant material shall be maintained in good health and shall conform to the Association of Nurserymen Standards for Nursery Stock;
 - b. ~~B.~~ Any dead, unhealthy, or missing plants must be replaced within six (6) months with vegetation which conforms to the planting standards of this ~~Article~~ ordinance;
 - c. ~~C.~~ All plant material shall be kept free of refuse and debris;
 - d. ~~D.~~ All plant material shall be maintained in a manner such that it does not become a traffic hazard.

24-8 BUFFER YARDS AND TRANSITIONAL SCREENING

A. Buffer Yards

1. Table 24-2A.1 (below) shows the buffer yard recommended between differing zoning districts.

Table 24-2A.1 Typical Recommended Buffers between Zoning Districts									
Zoning Districts	R-1 & R-2	R-3	C-R	R-C	M-C	C-1	C-2	PUD	Ag
R-1 & R-2	0	25	35	50	75	100	100	50	100
R-3	25	0	35	50	75	75	35	50	100
C-R	35	35	0	25	50	25	25	50	100
R-C	50	50	25	0	0	0	0	50	100
M-C	75	75	50	0	0	0	0	50	100
C-1	100	75	25	0	0	0	0	50	100
C-2	100	35	25	0	0	0	0	50	100
PUD	50	50	50	50	50	50	50	0	100
Ag	100	100	100	100	100	100	100	100	0

9

2. The Table above illustrates the recommended buffer yards based upon adjoining zoning districts. When a development application is submitted, one of other the buffer yards shown below must be shown on the General Development Plan (GDP) and the site plan. The buffer shall be located upon the proposed development site and not the pre-existing development on the adjacent site.

3. The content of the buffer yard shall be as follows:

- a. Buffer Vegetation for 100-foot Buffer:
 - I. Five (5) large deciduous trees for every fifty (50) linear feet
 - II. Four (4) small deciduous trees for every twenty-five (25) linear feet
 - III. Four (4) evergreen trees for every twenty (20) linear feet
 - IV. Four (4) medium shrubs for every fifteen (15) linear feet
 - V. Swale(s)
- b. Buffer Vegetation for 75-foot Buffer:
 - I. Three (3) large deciduous trees for every fifty (50) feet;

- II. Three (3) small deciduous trees for every twenty-five (25) feet;
- III. Three (3) evergreen trees for every twenty (20) feet;
- IV. Six (6) medium shrubs for every fifteen (15) feet;
- V. Swale(s)

c. Buffer Vegetation for 50-foot Buffer;

- I. Two (2) large deciduous trees for every fifty (50) feet
- II. Two (2) small deciduous trees for every twenty-five (25) feet
- III. Two (2) evergreen trees for every twenty (20) feet;
- IV. Six (6) medium shrubs for every fifteen (15) feet;
- V. Swale(s)

d. Buffer Vegetation of 35-foot Buffer;

- I. One (1) large deciduous tree for every fifty (50) feet;
- II. Two (2) small deciduous trees for every twenty-five (25) feet;
- III. One (1) evergreen tree for every twenty (20) feet;
- IV. Ten (10) medium shrubs for every fifteen (15) feet;
- V. Swale(s)

e. Buffer Vegetation of 25-foot Buffer;

- I. One (1) large deciduous trees for every fifty (50) feet;
- II. One (1) small deciduous trees for every twenty-five (25) feet;
- III. One (1) evergreen tree for every twenty (20) feet;
- IV. Ten (10) medium shrubs for every fifteen (15) feet.
- V. Swale(s)

f. The ratio of the Swale and vegetated area shall be 1/3 swale area with a maximum slope of 3:1 and 2/3 vegetated area. The Swale(s) shall be built in a manner to undulate parallel to property lines. If it can be shown that the purposes of the Swale(s) are already being served on the property by the existing topography or by the use of walls and fencing, then the use of Swales may be mitigated or lessened as determined by the Planning Director.

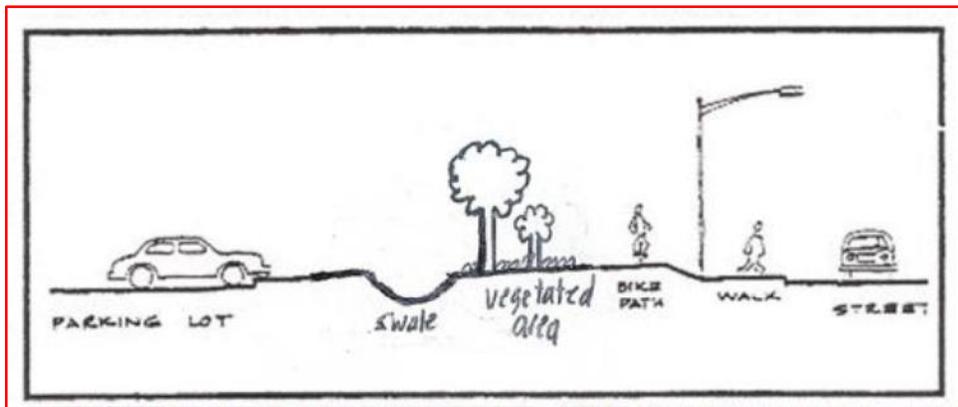


Figure 24-2A.1f Typical Design/Use of a Swale & Buffer

g. Buffer Reduction – A recommended buffer yard and associated landscaping may be reduced by 50% if a minimum of a 6-foot tall masonry wall is erected with the required landscaping placed on the exterior of the wall.

h. Maintenance of the Swale and landscaping is the responsibility of the land owner and there shall be developer's agreement executed and recorded for this purpose.

- i. For the purpose of this Section any undeveloped lot or parcel within any zoning district which allows residential uses by right shall be treated as if a residential use exists on that lot or parcel.

Table 24.3-1 of this ordinance should be consulted for guidance in determining the type of tree to be planted.

Table 24.3-1 Native Plant Species for Landscaping in Colonial Beach, Virginia

Latin Name	Common Name	Notes	Light	Height (ft.)
Trees for Shade				
<i>Amelanchier arborea</i> ; <i>A. canadensis</i>	Serviceberry, AKA shadbush	Early blossom and important early summer fruit source for birds	PSH	35
<i>Carya ovata</i> ; <i>C. glabra</i>	Hickory	Tap root allows gardening beneath; yellow gold fall color	PSH to SU	70-90
<i>Cercis canadensis</i>	Eastern redbud	Pink spring bloom is early nectar source; summer foliage; fall seed pods	PSH	20-35
<i>Chionanthus virginicus</i>	Fringe tree	Berries on female; both showy in flower	PSH to SU	12-35
<i>Cornus florida</i>	Fowering dogwood	Four season interest; red seeds colorful and important food for migrating birds	PSH	15+
<i>Diospyros virginiana</i>	Persimmon	Interesting bark; fruit colorful and edible by humans [after heavy frost] and wildlife	PSH to SU	25-50
<i>Ilex opaca</i>	American holly	Evergreen; buy in fall when females have berries; assure male pollinator nearby or plant also	SH to SU	15-50
<i>Liquidambar styraciflua</i>	Sweetgum	Bark interest; fall color; cones & seeds	PSH to SU	60+
<i>Magnolia virginiana</i>	Sweetbay magnolia	Semi-evergreen; white flowers; seeds & pod	SH to SU	10-30
<i>Nyssa sylvatica</i>	Black gum	Early red fall color; blue drupes-attract and feed birds	PSH to SU	30-75
<i>Quercus coccinea</i> ; <i>Q. rubra</i>	Scarlett oak; red oak	Tap root allows gardening beneath; buy in fall to check leaf color	PSH to SU	70-90
<i>Quercus phellos</i> ; <i>Q. palustris</i>	Willow oak; pin oak	Fibrous roots; need consistent moisture	SH to SU	70-90
Shrubs for Shade				
<i>Aralia spinosa</i>	devil's walking stick	Outer fringe use due to thorns = anti-deer!; flower & fruits for birds and butterflies	PSH to SU	15-20
<i>Callicarpa americana</i>	beautyberry	Purple berries on stem in fall	PSH to SU	3-4
<i>Cephalanthus occidentalis</i>	Buttonbush	Needs consistent moisture; butterfly nectar; fruits for waterfowl	PSH-SH	6-12
<i>Clethra alnifolia</i>	Summer sweet	Summer bloom with fragrance and butterflies	PSH to SU	6-12
<i>Cornus alternifolia</i> ; <i>C. amomum</i> ; <i>C. racemosa</i> ; <i>C. sericea</i>	Pagoda, silky, gray, red osier or red twig dogwoods	Flowers and early fall fruits/foliage; colorful stems; choose species for best size and moisture for your site	SH to PSH to SU	6-30

<i>Ilex glabra</i> 'Nigra'	Inkberry	Evergreen; buy in fall when females have berries; assure male pollinator nearby or plant also	PSH to SU	6
<i>Ilex glabra</i> 'Nigra'	Inkberry	Evergreen; buy in fall when females have berries; assure male pollinator nearby or plant also	PSH to SU	6
<i>Ilex verticillata</i> : 'Winter Red' and 'Jim Dandy'	Winterberry -female and male cultivars	Berrying females in sunniest position, male nearby OK in part shade; 1 male to 5 females	PSH to SU	3-10
<i>Itea virginica</i> 'Henry's Garnet'	Virginia sweetspire	Spring bloom; fall foliage; best with moisture; will spread	PSH to SU	3-5
<i>Morella [Myrica] cerifera</i>	Southern wax myrtle	Evergreen; need females and male for berries in fall/winter	PSH to SU	5-15
<i>Sambucus canadensis</i>	Elderberry	Flowers and late summer fruits	PSH to SU	6
<i>Viburnum nudum</i>	Blackhaw viburnum	Flower and fruits	SH-SU	6-20
Perennials for Shade				
<i>Aquilegia canadensis</i>	Red columbine	A Hummingbird "must have"; unusual spring bloom then lovely foliage	PSH-SH	1-2
<i>Asclepias tuberosa</i> ; <i>A. speciosa</i>	Butterfly weed; milkweed	Monarch butterfly larval host; many butterfly species use for nectar	PSH-SU	1-3
<i>Chrysogonum virginianum</i>	Green and gold	Do not let dry out; semi-evergreen w/yellow spring bloom, sometimes reblooms	SH to SU	.5
<i>Conoclinium coelestinum</i>	Mistflower	Blue bloom; moist to avg.	PSH-SH	1-3
<i>Coreopsis auriculata</i> ; <i>C. lanceolata</i> ; <i>C. verticillata</i> 'Zagreb'	Mouse-ear, lance-leaf or threadleaf coreopsis	Yellow blooms spring to fall if all three in garden	PSH-SU	1-2
<i>Echinacea purpurea</i>	Coneflower	Stick to species or 'Magnus'; purple pink bloom with seeds attractive to goldfinches	PSH-SU	3
<i>Heuchera americana</i>	Alumroot	Evergreen foliage; hummingbird use	PSH-SH	2-3
<i>Kosteletzkya virginica</i>	Seashore mallow	Do not let dry out entirely; medium size white or pink bloom	PSH-SU	4
<i>Mertensia virginica</i>	Virginia bluebells	Ephemeral beauty; fairly easy to establish and spreads	PSH	1-2
<i>Monarda fistulosa</i>	Wild bergamot	Better than <i>M. didyma</i> for the coastal plain; pinkish; hummingbird	PSH-SU	3
<i>Penstemon digitalis</i>	White penstemon	White bloom; colorful stem and winter rosette	PSH-SU	2-3
<i>Phlox divaricata</i> ; <i>P. paniculata</i>	Wild blue phlox; garden phlox	May need protection from rabbits and voles; butterfly nectar	PSH;SU	.5-3
<i>Physostegia virginiana</i>	Obedient plant	White or pink varieties; hummingbird use	PSH-SU	3
<i>Rudbeckia fulgida</i> , <i>R. hirta</i> ; <i>R. triloba</i>	Blackeyed susan; browneyed susan	<i>R. hirta</i> self-seeds, thin out extras for best appearance; long bloom time results	PSH-SU	1-4
<i>Salvia lyrata</i>	Lyre-leaf sage	Early nectar source, evergreen or colored foliage	PSH-SU	.5

<i>Senecio aureus</i>	Golden ragwort	Evergreen, prefers moist but dryish OK; buds pretty then yellow flower; deadhead to tidy	PSH-SU	1-2
<i>Sisyrinchium angustifolium</i>	Blue-eyed grass	Actually a petite lily; good substitute for Liriope	PSH	.6-1.5
<i>Solidago spp.</i>	Goldenrods	Many species, research yours to avoid aggressive species unless that's what you want; late summer to fall yellow blooms for butterfly nectar	PSH-SU	2-6
<i>Symphotrichum novi-belgii</i> ; <i>S. divaricatus</i>	New York aster; white wood aster	Late summer to fall; butterfly nectar	PSH-SU	3-4
<i>Tiarella cordifolia</i>	Foamflower	Evergreen foliage; foamy light pink spring flowers	SH	2
Grasses for Shade				
<i>Carex pensylvanica</i>	Pennsylvania sedge	Will spread but slowly, plant closely for cover	PSH	.5-1
<i>Chasmanthium latifolium</i>	River oats	Will spread quickly; good in flower arrangements	PSH-SU	3
Vines for Shade				
<i>Lonicera sempervirens</i>	Trumpet or coral honeysuckle	Evergreen; a hummingbird "must have"	PSH-SU	20-36
<i>Parthenocissus quinquefolia</i>	Virginia creeper	Summer foliage can be a ground cover if cut; fall foliage color; fruits if high growing	SH-SU	1-40
<i>Passiflora incarnata</i>	Passionflower	Exotic looking flower & fruit	PSH-SU	12-36
Ferns for Shade				
<i>Athyrium filix-femina</i>	Common lady fern	Require consistent moisture	SH	3
<i>Osumnda regalis</i> ; <i>Ocinnamomea</i>	Royal fern; cinnamon fern	Require consistent moisture; both have showy fertile fronds	SH	3-5
<i>Polystichum aristichoides</i>	Christmas fern	Require consistent moisture; usually evergreen	PSH-SH	2
<i>Woodwardia areolata</i>	Netted chain fern	Require consistent moisture	PSH-SH	3-4
Trees for Sun				
<i>Acer rubrum</i>	Red maple	Shallow rooted, only plant beyond eventual canopy; consider containers under	SU	40-100
<i>Betula nigra</i>	River birch	Prefers moisture; colorful peeling bark	SU	50-100
<i>Juniperus virginiana</i>	Easter red cedar	Evergree; hardy blue berries on females	SU	10-75
<i>Pinus taeda</i>	Loblolly pine	Evergreen; long needles; cones & seed	SU	70-90
Shrubs for Sun				
<i>Rhus copalinum</i> ; <i>R. glabra</i> ; <i>R. typhina</i>	Winged, smooth & stagehorn sumacs	Foilage: bark: flowers; red fruits all winter	SU	6+
<i>Viburnum dentatum</i>	Arrowwood viburnum	Flower and fruits	SU	10-15
Perennials for Sun				
<i>Eryngium yuccifolium</i>	Rattlesnake master	Dry; possible butterfly larval-unusual	SU	4

Definitions to be added to Article 20:

Bio-retention: Bio-retention utilizes soils and both woody and herbaceous plants to remove pollutants from storm water runoff. (EPA Defintion)

Bio-retention Swale: a depression or trench that receives rainwater runoff and has vegetation (such as grasses, flowering herbs, and shrubs) and organic matter (such as mulch) to slow water infiltration and filter out pollutants (Merriam Webster definition)

ARTICLE 24 LANDSCAPING

Statement of Intent

It is recognized that the planting of trees and vegetation, as well as the conservation of existing trees and vegetation, can serve to significantly improve the quality of the physical environment. It is also recognized that the uncontrolled cutting or destruction of trees and wooded areas can significantly damage the physical environment, causing increased municipal costs, the encouragement of substandard development, and the reduction of property values. It is therefore in the interest of the public health, safety, and welfare to enact regulations that would promote the planting and preservation of landscape materials which:

- A. provide screening between incompatible land uses, and
- B. provide for the protection of ground water and air quality, and
- C. promote traffic safety by controlling views, and
- D. provide shade and enhancement of urban areas, and parking lots, and
- E. provide a natural habitat for wildlife

24-1 Applicability

1. Except as otherwise provided, the landscaping requirements of this Article shall apply to:
 - a. Development proposals for public and private facilities, where site plans are required in accordance with Article 14 of this Ordinance;
 - b. Subdivisions;
 - c. Industrial and commercial development;
 - d. Development of public or private parking lots.

24-2 Exemptions

1. Improvements and/or repairs to existing non-residential structures or buildings which do not result in (i) expansion, (ii) reconstruction, (iii) changes in the type of occupancy as set forth by the Virginia Statewide Building Code (USBC) or (iv) any increase in the impermeable surface area
2. The subdivision of one (1) parcel into two (2) parcels, when made in accordance with Section 5-6 of the Subdivision Ordinance of the Town of Colonial Beach (Minor Subdivisions)

24-3 Native Species

1. All new plantings shall be native species as specified in the **Table 24-3.1** attached to this section of the ordinance or as identified in the pamphlet entitled "*Native Plants for Conservation, Restoration and Landscaping for Eastern Virginia's Coastal Plain*", and available from the Department of Conservation and Recreation, Chesapeake Bay Program's web site. Copies of this document are also available from the Colonial Beach Department of Planning & Community Development
2. The requirement use of native species for new plantings includes replacement of dead/diseased trees removed under Article 22 of this ordinance.

24-4 Landscaping Plan

1. All landscaping plans required by the provisions of this Article shall include following minimum specifications:
 - a. All shade trees shall be at least ten (10) to twelve (12) feet in height and shall have a caliper, at four and one half ft. (4.5) feet from the ground, of two (2) to three (3)

- inches when planted;
 - b. Show all existing and proposed parking spaces, other vehicle areas, access aisles, driveways;
 - c. Show the location, size and description of all landscaping materials and tree cover;
 - d. Verification that the minimum landscaping and screening requirements specified in this Article will be met.
- 2. If all elements of the landscaping plan are already included on the site plan, the requirement of a separate landscaping plan may be waived.
- 3. A Zoning Permit shall not be issued until such time as the landscaping plan is approved, a Certificate of Occupancy shall not be issued until the landscaping is installed or bonded.

24-5 General Requirements and Minimum Standards of Planting Materials

1. All landscaping material required by the provisions of this Article shall meet the following minimum size standards:
 - a. All shade trees shall be at least ten (10) to twelve (12) feet in height and shall have a 2.5 inch caliper, at four and one-half ft. (4.5) feet from the ground, of two (2) to three (3) inches when planted
 - b. All flowering or ornamental trees must be at least six (6) feet in height and shall have a 2.5 inch caliper, at four and one-half ft. (4.5) from the ground, and two (2) inch caliper at breast height when planted
 - c. All shrubs must be at least one (1) gallon container size when planted
2. All plantings must be in a mulched planting bed.
3. Existing tree cover shall be retained to the greatest extent possible and taken fully into account in the design or the improvements and grading of any property.
4. Existing trees preserved on the site may be used to satisfy the requirements for landscaping as long as the following conditions are met:
 - a. Existing trees must be at least three (3) inch caliper at breast height
 - b. Be in healthy condition
 - c. Be protected from all construction activity
5. Landscaping 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. Whenever the enforcement of the provisions of this Article would result in a traffic hazard, the Zoning Administrator may waive such requirements.
6. Certificates of occupancy may be withheld pending completion of the landscaping in accordance with the approved landscaping plan. However, a certificate of occupancy may be issued prior to the completion of the landscaping if a certified check, irrevocable letter of credit or other surety securing completion of such landscaping is obtained prior to the issuance of such certificate.

24-6 Required Landscaping - Street Frontage

1. Street trees shall be required along any existing and proposed street right of way for any development as specified below:
 - a. Along any street right of way on which the utility pole for power, street lights and/or telephone service is or will be located, at least one (1) flowering or ornamental tree shall be planted for every 25-feet of street frontage, or portion thereof, at approximately 20-feet on center
 - b. Along any street right of way on which the utility pole for power, street lights and/or telephone service are not and will not be located, one (1) shade tree shall be planted

for every 50-feet, or portion thereof, of road frontage or one (1) flowering or ornamental tree shall be planted for every 25-feet of street frontage, or portion thereof, at approximately 20-feet on center

24-7 Maintenance

1. The property owner and/or developer shall be responsible for the maintenance, repair, and replacement of all landscaping material required by the provisions of this Article. The maintenance provisions include the following:
 - a. All required plant material shall be maintained in good health and shall conform to the Association of Nurserymen Standards for Nursery Stock;
 - b. Any dead, unhealthy, or missing plants must be replaced within six (6) months with vegetation which conforms to the planting standards of this ordinance;
 - c. All plant material shall be kept free of refuse and debris;
 - d. All plant material shall be maintained in a manner such that it does not become a traffic hazard.

24-8 BUFFER YARDS AND TRANSITIONAL SCREENING

A. Buffer Yards

1. Table 24-2A.1 (below) shows the buffer yard recommended between differing zoning districts.

Table 24-2A.1 Typical Recommended Buffers between Zoning Districts									
Zoning Districts	R-1 & R-2	R-3	C-R	R-C	M-C	C-1	C-2	PUD	Ag
R-1 & R-2	0	25	35	50	75	100	100	50	100
R-3	25	0	35	50	75	75	35	50	100
C-R	35	35	0	25	50	25	25	50	100
R-C	50	50	25	0	0	0	0	50	100
M-C	75	75	50	0	0	0	0	50	100
C-1	100	75	25	0	0	0	0	50	100
C-2	100	35	25	0	0	0	0	50	100
PUD	50	50	50	50	50	50	50	0	100
Ag	100	100	100	100	100	100	100	100	0

2. The Table above illustrates the recommended buffer yards based upon adjoining zoning districts. When a development application is submitted, one of other the buffer yards shown below must be shown on the General Development Plan (GDP) and the site plan. The buffer shall be located upon the proposed development site and not the pre-existing development on the adjacent site.
3. The content of the buffer yard shall be as follows:
 - a. Buffer Vegetation for 100-foot Buffer:
 - I. Five (5) large deciduous trees for every fifty (50) linear feet
 - II. Four (4) small deciduous trees for every twenty-five (25) linear feet
 - III. Four (4) evergreen trees for every twenty (20) linear feet
 - IV. Four (4) medium shrubs for every fifteen (15) linear feet
 - V. Swale(s)
 - b. Buffer Vegetation for 75-foot Buffer:
 - I. Three (3) large deciduous trees for every fifty (50) feet;
 - II. Three (3) small deciduous trees for every twenty-five (25) feet;
 - III. Three (3) evergreen trees for every twenty (20) feet;

- IV. Six (6) medium shrubs for every fifteen (15) feet;
 - V. Swale(s)
- c. Buffer Vegetation for 50-foot Buffer;
- I. Two (2) large deciduous trees for every fifty (50) feet
 - II. Two (2) small deciduous trees for every twenty-five (25) feet
 - III. Two (2) evergreen trees for every twenty (20) feet;
 - IV. Six (6) medium shrubs for every fifteen (15) feet;
 - V. Swale(s)
- d. Buffer Vegetation of 35-foot Buffer;
- I. One (1) large deciduous tree for every fifty (50) feet;
 - II. Two (2) small deciduous trees for every twenty-five (25) feet;
 - III. One (1) evergreen tree for every twenty (20) feet;
 - IV. Ten (10) medium shrubs for every fifteen (15) feet:
 - V. Swale(s)
- e. Buffer Vegetation of 25-foot Buffer;
- I. One (1) large deciduous trees for every fifty (50) feet;
 - II. One (1) small deciduous trees for every twenty-five (25) feet;
 - III. One (1) evergreen tree for every twenty (20) feet;
 - IV. Ten (10) medium shrubs for every fifteen (15) feet.
 - V. Swale(s)
- f. The ratio of the Swale and vegetated area shall be 1/3 swale area with a maximum slope of 3:1 and 2/3 vegetated area. The Swale(s) shall be built in a manner to undulate parallel to property lines. If it can be shown that the purposes of the Swale(s) are already being served on the property by the existing topography or by the use of walls and fencing, then the use of Swales may be mitigated or lessened as determined by the Planning Director.

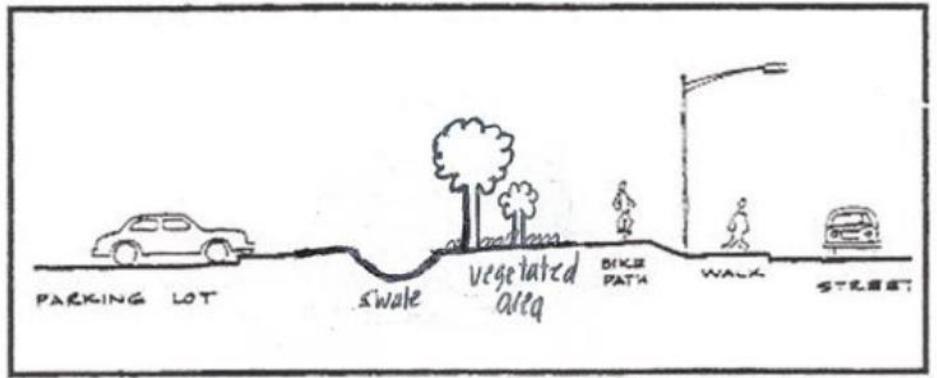


Figure 24-2A.1f Typical Design/Use of a Swale & Buffer

- g. Buffer Reduction – A recommended buffer yard and associated landscaping may be reduced by 50% if a minimum of a 6-foot tall masonry wall is erected with the required landscaping placed on the exterior of the wall.
- h. Maintenance of the Swale and landscaping is the responsibility of the land owner and there shall be developer's agreement executed and recorded for this purpose.

- i. For the purpose of this Section any undeveloped lot or parcel within any zoning district which allows residential uses by right shall be treated as if a residential use exists on that lot or parcel.

Table 24.3-1 of this ordinance should be consulted for guidance in determining the type of tree to be planted.

Table 24.3-1 Native Plant Species

Latin Name	Common Name	Notes	Light	Height (ft.)
Trees for Shade				
<i>Amelanchier arborea</i> ; <i>A. canadensis</i>	Serviceberry, AKA shadbush	Early blossom and important early summer fruit source for birds	PSH	35
<i>Carya ovata</i> ; <i>C. glabra</i>	Hickory	Tap root allows gardening beneath; yellow gold fall color	PSH to SU	70-90
<i>Cercis canadensis</i>	Eastern redbud	Pink spring bloom is early nectar source; summer foliage; fall seed pods	PSH	20-35
<i>Chionanthus virginicus</i>	Fringe tree	Berries on female; both showy in flower	PSH to SU	12-35
<i>Cornus florida</i>	Fowering dogwood	Four season interest; red seeds colorful and important food for migrating birds	PSH	15+
<i>Diospyros virginiana</i>	Persimmon	Interesting bark; fruit colorful and edible by humans [after heavy frost] and wildlife	PSH to SU	25-50
<i>Ilex opaca</i>	American holly	Evergreen; buy in fall when females have berries; assure male pollinator nearby or plant also	SH to SU	15-50
<i>Liquidambar styraciflua</i>	Sweetgum	Bark interest; fall color; cones & seeds	PSH to SU	60+
<i>Magnolia virginiana</i>	Sweetbay magnolia	Semi-evergreen; white flowers; seeds & pod	SH to SU	10-30
<i>Nyssa sylvatica</i>	Black gum	Early red fall color; blue drupes-attract and feed birds	PSH to SU	30-75
<i>Quercus coccinea</i> ; <i>Q. rubra</i>	Scarlett oak; red oak	Tap root allows gardening beneath; buy in fall to check leaf color	PSH to SU	70-90
<i>Quercus phellos</i> ; <i>Q. palustris</i>	Willow oak; pin oak	Fibrous roots; need consistent moisture	SH to SU	70-90
Shrubs for Shade				
<i>Aralia spinosa</i>	devil's walking stick	Outer fringe use due to thorns = anti-deer!; flower & fruits for birds and butterflies	PSH to SU	15-20
<i>Callicarpa americana</i>	beautyberry	Purple berries on stem in fall	PSH to SU	3-4
<i>Cephalanthus occidentalis</i>	Buttonbush	Needs consistent moisture; butterfly nectar; fruits for waterfowl	PSH-SH	6-12
<i>Clethra alnifolia</i>	Summer sweet	Summer bloom with fragrance and butterflies	PSH to SU	6-12
<i>Cornus alternifolia</i> ; <i>C. amomum</i> ; <i>C. racemosa</i> ; <i>C. sericea</i>	Pagoda, silky, gray, red osier or red twig dogwoods	Flowers and early fall fruits/foliage; colorful stems; choose species for best size and moisture for your site	SH to PSH to SU	6-30
<i>Ilex glabra</i> 'Nigra'	Inkberry	Evergreen; buy in fall when females have berries; assure male pollinator nearby or plant also	PSH to SU	6

<i>Ilex glabra</i> 'Nigra'	Inkberry	Evergreen; buy in fall when females have berries; assure male pollinator nearby or plant also	PSH to SU	6
<i>Ilex verticillata</i> : 'Winter Red' and 'Jim Dandy'	Winterberry -female and male cultivars	Berrying females in sunniest position, male nearby OK in part shade; 1 male to 5 females	PSH to SU	3-10
<i>Latin Name</i>	<i>Common Name</i>	<i>Notes</i>	<i>Light</i>	<i>Height (ft.)</i>
<i>Itea virginica</i> 'Henry's Garnet'	Virginia sweetspire	Spring bloom; fall foliage; best with moisture; will spread	PSH to SU	3-5
<i>Morella [Myrica] cerifera</i>	Southern wax myrtle	Evergreen; need females and male for berries in fall/winter	PSH to SU	5-15
<i>Sambucus canadensis</i>	Elderberry	Flowers and late summer fruits	PSH to SU	6
<i>Viburnum nudum</i>	Blackhaw viburnum	Flower and fruits	SH-SU	6-20
Perennials for Shade				
<i>Aquilegia canadensis</i>	Red columbine	A Hummingbird "must have"; unusual spring bloom then lovely foliage	PSH-SH	1-2
<i>Asclepias tuberosa</i> ; <i>A. speciosa</i>	Butterfly weed; milkweed	Monarch butterfly larval host; many butterfly species use for nectar	PSH-SU	1-3
<i>Chrysogonum virginianum</i>	Green and gold	Do not let dry out; semi-evergreen w/yellow spring bloom, sometimes reblooms	SH to SU	.5
<i>Conoclinium coelestinum</i>	Mistflower	Blue bloom; moist to avg.	PSH-SH	1-3
<i>Coreopsis auriculata</i> ; <i>C. lanceolata</i> ; <i>C. verticillata</i> 'Zagreb'	Mouse-ear, lance-leaf or threadleaf coreopsis	Yellow blooms spring to fall if all three in garden	PSH-SU	1-2
<i>Echinacea purpurea</i>	Coneflower	Stick to species or 'Magnus'; purple pink bloom with seeds attractive to goldfinches	PSH-SU	3
<i>Heuchera americana</i>	Alumroot	Evergreen foliage; hummingbird use	PSH-SH	2-3
<i>Kosteletzkya virginica</i>	Seashore mallow	Do not let dry out entirely; medium size white or pink bloom	PSH-SU	4
<i>Mertensia virginica</i>	Virginia bluebells	Ephemeral beauty; fairly easy to establish and spreads	PSH	1-2
<i>Monarda fistulosa</i>	Wild bergamot	Better than <i>M. didyma</i> for the coastal plain; pinkish; hummingbird	PSH-SU	3
<i>Penstemon digitalis</i>	White penstemon	White bloom; colorful stem and winter rosette	PSH-SU	2-3
<i>Phlox divaricata</i> ; <i>P. paniculata</i>	Wild blue phlox; garden phlox	May need protection from rabbits and voles; butterfly nectar	PSH;SU	.5-3
<i>Physostegia virginiana</i>	Obedient plant	White or pink varieties; hummingbird use	PSH-SU	3
<i>Rudbeckia fulgida</i> , <i>R. hirta</i> ; <i>R. triloba</i>	Blackeyed susan; browneyed susan	<i>R. hirta</i> self-seeds, thin out extras for best appearance; long bloom time results	PSH-SU	1-4
<i>Salvia lyrata</i>	Lyre-leaf sage	Early nectar source, evergreen or colored foliage	PSH-SU	.5

<i>Senecio aureus</i>	Golden ragwort	Evergreen, prefers moist but dryish OK; buds pretty then yellow flower; deadhead to tidy	PSH-SU	1-2
<i>Sisyrinchium angustifolium</i>	Blue-eyed grass	Actually a petite lily; good substitute for Liriope	PSH	.6-1.5
<i>Solidago spp.</i>	Goldenrods	Many species, research yours to avoid aggressive species unless that's what you want; late summer to fall yellow blooms for butterfly nectar	PSH-SU	2-6
<i>Symphotrichum novi-belgii</i> ; <i>S. divaricatus</i>	New York aster; white wood aster	Late summer to fall; butterfly nectar	PSH-SU	3-4
<i>Tiarella cordifolia</i>	Foamflower	Evergreen foliage; foamy light pink spring flowers	SH	2
Grasses for Shade				
<i>Carex pensylvanica</i>	Pennsylvania sedge	Will spread but slowly, plant closely for cover	PSH	.5-1
<i>Chasmanthium latifolium</i>	River oats	Will spread quickly; good in flower arrangements	PSH-SU	3
Vines for Shade				
<i>Lonicera sempervirens</i>	Trumpet or coral honeysuckle	Evergreen; a hummingbird "must have"	PSH-SU	20-36
<i>Parthenocissus quinquefolia</i>	Virginia creeper	Summer foliage can be a ground cover if cut; fall foliage color; fruits if high growing	SH-SU	1-40
<i>Passiflora incarnata</i>	Passionflower	Exotic looking flower & fruit	PSH-SU	12-36
Ferns for Shade				
<i>Athyrium filix-femina</i>	Common lady fern	Require consistent moisture	SH	3
<i>Osumnda regalis</i> ; <i>Ocinnamomea</i>	Royal fern; cinnamon fern	Require consistent moisture; both have showy fertile fronds	SH	3-5
<i>Polystichum arostichoides</i>	Christmas fern	Require consistent moisture; usually evergreen	PSH-SH	2
<i>Woodwardia areolata</i>	Netted chain fern	Require consistent moisture	PSH-SH	3-4
Trees for Sun				
<i>Acer rubrum</i>	Red maple	Shallow rooted, only plant beyond eventual canopy; consider containers under	SU	40-100
<i>Betula nigra</i>	River birch	Prefers moisture; colorful peeling bark	SU	50-100
<i>Juniperus virginiana</i>	Easter red cedar	Evergree; hardy blue berries on females	SU	10-75
<i>Pinus taeda</i>	Loblolly pine	Evergreen; long needles; cones & seed	SU	70-90
Shrubs for Sun				
<i>Rhus copalinum</i> ; <i>R. glabra</i> ; <i>R. typhina</i>	Winged, smooth & stagehorn sumacs	Foilage: bark: flowers; red fruits all winter	SU	6+
<i>Viburnum dentatum</i>	Arrowwood viburnum	Flower and fruits	SU	10-15
Perennials for Sun				
<i>Eryngium yuccifolium</i>	Rattlesnake master	Dry; possible butterfly larval-unusual grayish plant with architectural interest	SU	4

Definitions to be added to Article 20:

Bio-retention: Bio-retention utilizes soils and both woody and herbaceous plants to remove pollutants from storm water runoff. (EPA Defintion)

Bio-retention Swale: a depression or trench that receives rainwater runoff and has vegetation (such as grasses, flowering herbs, and shrubs) and organic matter (such as mulch) to slow water infiltration and filter out pollutants (Merriam Webster definition)

PLANNING & COMMUNITY DEVELOPMENT STAFF REPORT	
PROJECT NAME: Vacant Town Owned Property Study- Wilder Avenue Parking Lot	Town Council Meeting Date:
Case Number: NA	Applicant: Town
Project Status: <input type="checkbox"/> Preliminary Sketch Application <input type="checkbox"/> Rezoning <input type="checkbox"/> Preliminary Plat Use <input type="checkbox"/> Conditional Use <input type="checkbox"/> Preliminary Final Plat Plans <input type="checkbox"/> Concept <input type="checkbox"/> Final Plat <input type="checkbox"/> Text Amendment <input type="checkbox"/> Vacation	Owner: Town
	Location: varies
	Voting District: NA
	Parcel Number:
	Total Site Area: 57,261 SF/1.31 ACRES
	Site Area Developed:
Existing Structures: none	CBPA: RMA
Flood Hazard: Lots 9,10 and 11 partly in AE flood zone	Additional Site Data: See Vacant Town Owned Property Study
Current Zoning: RC	
Action Request: 1st Review	
	Staff: B. McHugh Date: 7/7/16

Prior Actions / Case History

Rezoning: NA
Conditional Use Permit: NA
Variances: NA
Subdivisions: NA
Other Data: NA

BACKGROUND:

As the Planning Commission is aware, the Town Council requested that the Commission examine the potential future uses for the different vacant town owned properties throughout Town. This property study examines the Wilder Avenue Municipal Parking Lot.

DISCUSSION:

Staff reviewed the property and identified the following options for potential future use:

Option 1: Municipal Parking Lot	The Town could retain the property as a Municipal Parking Lot and collect revenue through parking fees.
Option 2: Town owned redevelopment	The Town could retain and redevelop for another use.
Option 3: Market and Sell	The properties can be marketed and sold to a private developer.
Option 4: Sell a portion of the property	The Town could sell a few of the properties and retain the rest for parking. This will allow for some commercial development within the area while retaining some parking and income for the Town.

RECOMMENDATION:

Staff recommends Option 4.

The Town could sell lots 9, 10 and 11 and retain the rest of the lots for parking. Lots 9, 10 and 11 are the most valuable as they are adjacent to the boardwalk and would be ideal for potential commercial developers. The sale of those parcels will result in the loss of 60+/-parking spots in the downtown district which would support sustainable transportation measures such as biking, walking or carpooling. Parking revenues could be recovered through possible metering along Colonial and/or Washington Avenue.



Vacant Town Owned Property Study

Wilder Avenue Parking Lot

Draft #1

July 2016

Town of Colonial Beach

Department of Planning and Community Development

RESOLUTION # 21-15, Invites Planning Commission to make recommendations re town-owned properties

WHEREAS, the Town Council would like to invite the Planning Commission to make recommendations on several issues of concern to the Town Council.

NOW, THEREFORE, BE IT RESOLVED, in order to best serve the citizens of the Town of Colonial Beach, the Town Council hereby invites the Planning Commission to provide Town Council with their recommendations on:

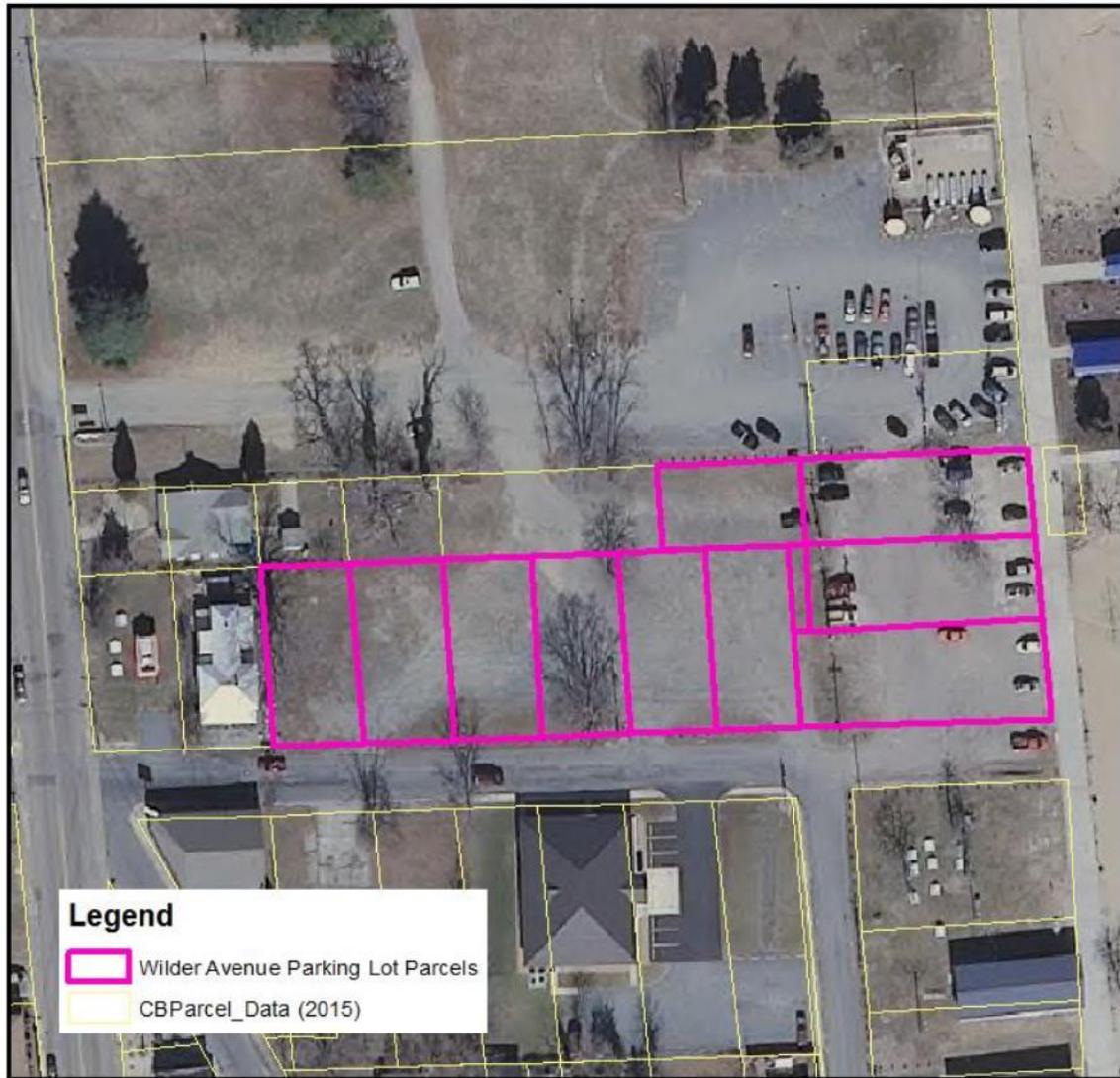
(1) how to use town-owned buildings or properties that are likely to be put up for sale in the future, including the old school property; Irving Avenue where the old police station, old fire station and the Klotz Building, including the old town hall.

(2) The future of and effects on the neighborhoods in which the town-owned buildings exist, including the neighborhood where the new town hall is located (Douglas Avenue).

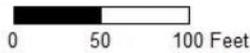
THIS IS TO CERTIFY THIS IS A TRUE COPY OF AN ORIGINAL RESOLUTION, adopted by the Town Council at a regular meeting of Council held Thursday, April 9, 2015 at the Colonial Beach Town Center, with a quorum of Council being present.


Kathleen Flanagan, Town Clerk

Town of Colonial Beach Wilder Avenue Parking Lot



Town of Colonial Beach
6/17/2016



All data, information and maps are provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, timeliness, completeness, merchantability and fitness for the appropriateness for use rests solely on the requestor. The Town of Colonial Beach makes no warranties, express or implied, as to the use of the information obtained here. There are no implied warranties of merchantability or fitness for a particular purpose. The requestor acknowledges and accepts all limitations, including the fact that the data, information and maps are dynamic and in a constant state of maintenance, correction and update.

Subject Property



Existing Land Use: [REDACTED]
Current Zoning: [REDACTED]
Future Land Use: [REDACTED]
Approximate Area: [REDACTED]

Property Study

Currently, the property is divided into 10+ lots and serves as a municipal parking lot. The parking fee is currently \$1.00 per hour and contains 150+/- parking spaces. In the last two fiscal years, the revenue for the parking lot has been roughly \$17,500 per year. The revenue for the parking lot is deposited into the general fund. The Colonial Beach Comprehensive Plan categorizes the property as Historic Resort Commercial on the Future Land Use Map which states, *“Future land uses in this area are intended to provide recreational and business opportunities designed to foster tourism. Any development in the district should preserve the historical integrity of the area.”* The plan also states, *“Preferred uses for the district include restaurants (without drive in facilities), retail, arts and crafts studios, offices, municipal facilities, and public open space.”*

Current Zoning

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 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 breakfast
- c. Boardwalk vendors (requires a vendors permit from the Town Manager)
- d. Business service establishment
- e. Church or house of worship
- f. Commercial recreational establishment
- g. Community facility/open space
- h. Emergency service establishments
- i. Financial service establishment
- j. Golf cart, moped, bicycle, and canoe/kayak sales and rental establishments
- k. Indoor flea markets
- l. Live-work units
- m. Museums
- n. Offices
- o. Personal service establishment
- p. Private, public and commercial piers
- q. Public facilities and utilities
- r. Public parks/playgrounds
- s. Restaurants, excluding those with drive in facilities
- t. Retail establishments
- u. Special events (requires a special event permit from Town Manager)
- v. Wayside stand and/or farmers market

Current Zoning Continued

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. Antenna
- c. Automatic teller machine (ATM)
- d. Parking lot/structure
- 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 freezer
- g. Commercial generator
- 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;

- a. Civic, social or fraternal facility
- b. Commercial parking lot/structure as a principal use
- c. Conference center
- d. Convenience store
- e. Mixed residential/commercial use building
- f. Motel, hotel, and rooming house
- g. Nightclub
- h. Restaurants, with drive in facilities
- i. Structures exceeding a 35-foot building height
- j. Theaters
- k. Tourist home
- l. Vacation cottage complex

Current Zoning Continued

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	

Current Zoning Continued

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

Future Land Use



Legend

- General / Limited Commercial
- Maritime Commercial
- Historic Resort Commercial
- School
- Medium Density Multi-Family Residential
- Neighborhood Preservation
- Cluster Development
- Planned Unit Development (PUD)
- Public Open Space
- Conservation
- Municipal Service Facilities
- Town Owned Property
- Property Lines
- Planning Areas

Historic Resort Commercial

The Historic Resort Commercial district is located in the Central Area, and encompasses all the parcels along Washington Avenue and east to the boardwalk. A smaller section extends west along Colonial Avenue. Future land uses in this area are intended to provide recreational and business opportunities designed to foster tourism. Any development in the district should preserve the historical integrity of the area. As such, a concept plan for the area should be developed, and the undeveloped land currently owned by the town utilized to instigate development of the area. The concept plan should address guidelines for architectural styles, building scale / massing, public open space, parking, and pedestrian mobility. Architectural styles, which complement the small town charm of Colonial Beach, pedestrian accommodations and plantings, are strongly preferred. Public open space should be a key element in any concept plan for the area.

Preferred uses for the district include restaurants (without drive in facilities), retail, arts and crafts studios, offices, municipal facilities, and public open space.

AREA AND VALUE

Lot	Approx. Area	Value*
Lot 3	5,297 SF/0.12 ACRES	\$33,200
Lot 4, 5 & 6	16,043 SF/0.37 ACRES	\$103,800
Lot 7	5,197 SF/0.12 ACRES	\$33,200
Lot 8	5,055 SF/0.12 ACRES	\$41,500
Lot 9, 10 & 11	21,140 SF/.49 ACRES	\$311,300
Lot 10A	4,047 SF/0.09 ACRES	\$41,500
Lot 11A	482 SF/0.01 ACRES	\$24,900
Total	57,261 SF/1.31 ACRES	\$589,400



*Source: Westmoreland County Property Records

Analysis

Rezoning	There are no viable rezoning options. Staff recommends keeping the lots zoned Resort Commercial (RC).
Option 1: Municipal Parking Lot	The Town could retain the property as a Municipal Parking Lot and collect revenue through parking fees.
Option 2: Town owned redevelopment	The Town could retain and redevelop for another use.
Option 3: Market and Sell	The properties can be marketed and sold to a private developer.
Option 4: Sell a portion of the property	The Town could sell a few of the properties and retain the rest for parking. This will allow for some commercial development within the area while retaining some parking and income for the Town.

Staff Recommendation

Staff recommends Option 4.

The Town could sell lots 9, 10 and 11 and retain the rest of the lots for parking. Lots 9, 10 and 11 are the most valuable as they are adjacent to the boardwalk and would be ideal for potential commercial developers. The sale of those parcels will result in the loss of 60 +/- parking spots in the downtown district which would support sustainable transportation measures such as biking, walking or carpooling. Parking revenues could be recovered through possible metering along Colonial and/or Washington Avenue.