

**ARTICLE V.**  
**District Standards**

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**§ 18:1-26. Waterfront Village Center (WVC) District.**

A. Purpose.

- (1) *The Waterfront Village Center (WVC) District is intended to facilitate orderly mixed-use commercial, light industrial, marine-oriented, and seafood-industry-oriented uses at the Kent Narrows in accordance with the Kent Narrows ~~Master Community Plan~~.*
- (2) *The WVC District is intended to preserve the character of the working waterfront in the Kent Narrows area and allow greater freedom, imagination, and flexibility in the development of land surrounding the waterfront while insuring excellence in urban design and district appearance. The WVC District allows flexibility in the relationship of uses, structures, open spaces, water views and vistas, and heights of structures.*
- (3) *This section is further intended to encourage more rational and economic development, and to encourage consistency with the objectives of the Kent Narrows Development Foundation, ~~the Kent Narrows Waterfront Village Center Development Handbook~~, and the Area Community Plan for the Kent Narrows to accomplish the following objectives:*
  - (a) To establish the Kent Narrows as a year-round destination by encouraging a mixture of uses that will attract visitors to the area.*
  - (b) To link the quadrants of Kent Narrows for pedestrian access, centralize parking and provide for pedestrian circulation throughout the area, preferably along the waterfront, to alleviate the need for vehicular traffic throughout the community.*
  - (c) To ensure that all new development and redevelopment will have architectural design sensitive to the character of Kent Narrows through establishing architectural design standards.*
  - (d) To establish County incentives for developers and property owners to create public improvements on or off their sites that will enhance pedestrian access by creating public access boardwalks along the water and creating public plaza areas with pedestrian features such as ornamental lighting, illuminated bollards, benches, trash receptacles, information kiosks, wayfinding signage and other pedestrian furniture.*
  - (e) To allow flexibility in development standards in order to encourage innovation and creativity in development and redevelopment and to discourage underutilization of valuable parcels of land.*

B. Permitted uses.

- ~~(1) Single-family residences — (only on land classified as a Resource Conservation Area by the Queen Anne's County Code Chapter 14:1).~~
- (1) Live-work Units and home occupations.
- (2) Mixed-Use: Commercial combined with residential components.

- (3) All temporary uses as permitted in § 18:1-53 of this Chapter 18:1.
- (4) Aquariums.
- (5) Community or recreational centers.
- (6) Conference/convention centers, banquet facilities and resort hotels.
- (7) Dredge disposal that disturbs less than 10 acres of land.
- (8) Gymnasiums, spas and health clubs.
- (9) Libraries.
- (10) Multifamily permitted to continue if development plans are approved prior to July 1, 2008.
- (11) Museums or exhibits.
- (12) Public services.
- (13) Retail Kiosk.
- (14) Visitors and heritage centers.
- (15) ~~(14)~~ The following commercial uses: theaters, ~~commercial or trade schools, dance schools and schools for the martial arts,~~ business and professional offices, medical offices and clinics, ~~veterinary offices and parking facilities,~~ offices, barbershops, ice cream stores and stands, light mechanical repair, liquor stores, retail sales, specialty retail sales, photo shops, tailor shops, boat repair and sales, ~~repair shops,~~ furniture sales, ~~garden centers,~~ banks and other financial institutions, service business, travel agencies, restaurants excluding drive-in facilities, bars, nightclubs, taverns, maritime stores, convenience stores, provided that the convenience stores are part of a larger development, hotels, motels, bed-and-breakfast/country inns, fraternal organizations, ~~yacht clubs,~~ commercial apartments, arts and craft studios and shopping centers.
- (16) ~~(15)~~ The following for-profit indoor recreational uses: swimming pools, skating rinks (both ice and roller), tennis courts, miniature golf, soccer, lacrosse, racquetball courts, handball courts, bowling alleys, and other similar indoor athletic facilities.
- (17) ~~(16)~~ The following light industrial uses: boat building, repair, maintenance and ground level boat storage, seafood processing and packing plants, furniture refinishing shops, monument works, ~~arts and craft studios,~~ scientific research and testing facilities related to marine activities, ~~experimental laboratories;~~ and trade shops.
- (18) The following outdoor recreation uses: jogging, cycling, tot-lots, playfields, outdoor swimming pools, tennis courts, putt-putt golf and all passive recreational uses, such as nature areas, picnic areas and wildlife sanctuaries.
- (19) The following marine related uses: marinas, boat docks, slips, piers, yacht clubs, wharves, anchorages and moorings for yachts and pleasure boats or for boats for hire carrying passengers on excursions, sightseeing, pleasure or fishing trips.

(20) Commercial waterman-related facilities including dockage, storage and sales.

(21) Public parking lots, private parking lots and parking facilities.

(22) Public parks, landings, open space, plazas, amphitheaters and public space and recreational facilities.

(23) Facilities for marine police, harbor master and other marine enforcement and service agencies.

C. Conditional uses.

~~(1) Aquaculture, with more than two ponds created by extraction, or any single pond greater than five acres in size created by extraction, on any single lot.~~

~~(2) Cluster residential development.~~

~~(3) Home occupations.~~

~~(4) Institutional residential uses.~~

~~(5) Marinas.~~

~~(1) (6) Minor extraction and dredge disposal uses.~~

~~(2) (7) Telecommunications facilities.~~

(3) Public or private parking structures or garages.

(4) High dry storage facilities or rackominiums.

D. Accessory uses.

(1) Satellite simulcast facilities. Satellite simulcast facilities are allowed as an accessory use in the WVC District, provided that there shall be principal dining areas separate from those areas dedicated to the joint use of dining and satellite simulcast facilities.

(2) Retail Kiosk. Retail kiosks are allowed as an accessory use in the WVC District, provided retail sales are restricted to non-food items. A retail kiosk is a temporary structure that is stored indoors during non-seasonal times and considered a temporary use in accordance with requirements as outlined in §18:1-53 of this Chapter 18:1.

(3) Permanent display of public art and heritage exhibits in public accessways.

(4) Outside storage and display in accordance with requirements outlined in §18:1-49.

E. Prohibited uses.

(1) Abandoned or sunken craft.

(2) Covered piers or roofed structures over piers built before July 1, 2008. All existing and replacement of existing covered piers or existing roofed structures

over piers are permitted to continue and/or be replaced in accordance with applicable state regulations.

(3) Outside rack storage for boats.

F. E. Residential Development standards.

~~(1) Residential densities. Planned residential Mixed-use development shall be allowed at a density of eight dwellings per acre. and single-family residential shall be allowed at one unit per 20 acres.~~

~~(2) Bulk standards for all uses.~~

~~(a) No principal residential structure may be located less than 100 feet from any tidal waters or wetland unless it meets the provisions and criteria of §14:1-53 of the County Code [Amended 9-7-2004 by Ord. No. 04-16; 5-13-2008 by Ord No. 08-04].~~

~~(a) (b) Multifamily dDevelopment in the WVC Zoning District must comply with the following bulk and dimensional standards. set forth in § 18:1-36 of this Chapter 18:1. [Amended 9-7-2004 by Ord. No. 04-16]~~

~~(c) Single family development in the WVC Zoning District must comply with the following bulk and dimensional standards. [Amended 9-7-2004 by Ord. No. 04-16]~~

[1] No principal residential structure may be located less than 100 feet from any tidal waters or wetland unless it meets the provisions and criteria of §14:1-53 of the County Code.

~~[1] Minimum setbacks.~~

~~[a] Front: 35 feet.~~

~~[b] Side: 50 feet.~~

~~[c] Rear: 50 feet.~~

~~[2] Maximum building height: 35 feet.~~

~~[3] Minimum lot width: 130 feet.~~

~~[4] Minimum lot frontage: 35 feet.~~

[2] The maximum floor area ratio (FAR) shall be .30 calculated on an individual lot area basis or cumulative for one or more contiguous lots or non-contiguous lots separated by a public or private road where lots are under common ownership or part of a unified development proposal provided development is in compliance with parking requirements and front, side yard and rear yard setbacks. With respect to contiguous lots, side and rear yard setbacks may be waived to allow development across lot lines. For one or more contiguous parcels or non-contiguous parcels in common ownership or part of a unified development proposal in which FAR is calculated cumulatively, future development or redevelopment of said lots shall be restricted to not exceed maximum FAR

cumulatively. Definitions of lot, floor area ratio and base site area are applicable with respect to further subdivision or use of lots.

[3] All structures shall comply with the following minimum setback requirements.

**Waterfront Village Center**

<b><u>Feature</u></b>	<b><u>Setback (feet)</u></b>
<u>U.S. Routes 50/301 (graded road)</u>	<u>50</u>
<u>U.S. Routes 50/301 (elevated bridge)</u>	<u>25</u>
<u>MD Route 18</u>	<u>25</u>
<u>All other public roads</u>	<u>25</u>
<u>Nontidal wetland</u>	<u>25</u>
<u>Tidal wetland</u>	<u>15 feet</u>
<u>Between all structures</u>	<u>6 feet</u>
<u>Rear yard</u>	<u>10 feet</u>
<u>Side yard</u>	<u>10 feet*</u>

**NOTES:**

\* Buildings on two adjacent lots or parcels may have less than a ten-foot setback from the property line, provided that the spacing between buildings is at least 20 feet.

[4] Height standards. The maximum height of any building may not exceed 45 feet, as measured from the flood control elevation. Telecommunications facilities may not exceed 55 feet in building height.

(3) Open space for mixed use development. The open space ratio (OSR) for all planned residential mixed use development shall be a minimum of .30. The following uses are permitted in open spaces:

(a) Private recreation facilities and open space.

(b) Stormwater management facilities using best management practices that are aesthetically pleasing and consistent with waterfront development.

(c) Public pedestrian accessways with improvements in the form of boardwalks, paths, amphitheatres, landscaped plazas and any combination thereof. Improvements shall be appropriately located to complete connections between the existing portions of boardwalk, sidewalks, paths and the Cross Island Trail and future connections with an emphasis of providing public access and recreation along the waterfront.

[1] Developers/land owners shall be responsible for the perpetual maintenance of public open space and improvements.

[2] Developers/land owners shall dedicate public access easement(s) for boardwalks, paths, amphitheatres, landscaped plazas and any combination thereof for perpetual use of, and access to the public.

[3] Public art, heritage displays and interpretive signage can be placed within required open space with public access.

(4) Commercial apartments. Commercial apartments are not required to be included in the floor area ratio calculation of a building, nor shall it be considered residential density, except that the percentage of commercial apartments as part of mixed-use shall not exceed that otherwise provided for in the table of Mixed Use Options for which commercial apartments shall be considered residential.

G. F. Nonresidential performance standards. Limitations on specific uses.

~~(1) The maximum nonresidential floor area ratio shall be .30.~~

~~(2) All nonresidential structure shall comply with the following minimum setback requirements.~~

Waterfront Village Center

<u>Feature</u>	<u>Setback (feet)</u>
<u>U.S. Routes 50/301 (graded road)</u>	<u>50</u>
<u>U.S. Routes 50/301 (elevated bridge)</u>	<u>25</u>
<u>MD Route 18</u>	<u>25</u>
<u>All other public roads</u>	<u>25</u>
<u>Nontidal wetland</u>	<u>25</u>
<u>Tidal wetland</u>	<u>15 feet</u>
<u>Between all structures</u>	<u>6 feet</u>
<u>Rear yard</u>	<u>10 feet</u>
<u>Side yard</u>	<u>10 feet*</u>

NOTES:

~~\* Buildings on two adjacent lots or parcels may have less than a ten-foot setback from the property line, provided that the spacing between buildings is at least 20 feet.~~

~~(3) Height standards. The maximum height of any building may not exceed 45 feet, as measured from the flood control elevation. Telecommunications facilities may not exceed 55 feet in building height.~~

~~(4)-(1) No individual use and/or tenant space in a structure shall occupy more than 65,000 square feet of gross floor area, except for the following uses:~~

~~(a) Boat repair and sales. Aquariums.~~

- ~~(b) Banks and other financial institutions.~~
- ~~(b) (e) Commercial apartments.~~
- ~~(d) Commercial or trade schools, dance schools and schools for the martial arts.~~
- ~~(c) (e) Community or recreational centers.~~
- ~~(d) (f) Conference centers associated with nonprofit institutions. Conference/convention centers and resort hotels.~~
- ~~(g) For-profit indoor recreational uses as permitted in Subsection B(1416).~~
- ~~(e) High dry storage facilities or rackominiums with mixed use development, where approved by conditional use granted from the Board of Appeals.~~
- ~~(f) (h) Hotels.~~
- ~~(i) Gymnasiums.~~
- ~~(j) Libraries.~~
- ~~(g) (k) Light industrial uses as permitted in Subsection B(1517). Mixed-use developments.~~
- ~~(h) (l) Multifamily commercial condominiums.~~
- ~~(i) (m) Museums and exhibits.~~
- ~~(j) (n) Offices: business or professional; medical offices and clinics; veterinary offices; and all other offices.~~
- ~~(o) Theaters.~~
- ~~(k) (p) Yacht clubs.~~
- ~~(l) (q) Marinas, where approved by conditional use granted from the Board of Appeals.~~

H. G. Parking requirements.

(1) Spaces shall be a minimum of 8 1/2 feet by 18 feet, except as provided below.

- ~~(a) A maximum of 25% of the required parking spaces, exclusive of handicapped spaces, may be provided in small-car spaces (seven feet by 16 feet).~~
- ~~(b) All small-car spaces must be clearly and distinctively marked as small-car spaces by signs or other markings.~~
- ~~(a) (e) Except as provided in this subsection, the parking requirements for all development shall be those required under Chapter 18:1, Part 4, Article XIII, of this Chapter 18:1.~~

- ~~(d) The applicant may petition the Planning Commission to reduce required on-site parking. The Planning Commission may reduce required on-site parking by up to 25%, provided that the applicant enters an agreement with the County Commissioners assuring the availability of the 25% reduced parking off site, such as on other land owned by the applicant, on land for which the applicant has a written right of use, or on public parking areas such as those constructed by the County under the U.S. 50/301 bridge, within the Kent Narrows Waterfront Village Center.~~
- ~~(e) (b) Parking required under this section or Chapter 18:1, Part 4, Article XIII, of this Chapter 18:1 may be provided completely or partially off site, provided that the parking area is in the WVC District; and the applicant enters into a written agreement with the County ensuring access for the development and the general public. Such written agreement shall be recorded among the land records of the County.~~
- ~~(f) (c) The proposed development shall be generally consistent with the circulation plan for both vehicular and non-vehicular modes of travel as described in the Comprehensive Plan and the Kent Narrows Development Handbook Community Plan.~~
- (d) The Planning Commission may off-set required on-site parking when an applicant provides for the equivalent construction of new parking spaces on public property, or property to be deeded to the County as public land, within the WVC District.
- (e) When hotels are located in concert or adjacent to banquet or conference facilities the Planning Commission may grant a reduction in the required on-site parking when an applicant has provided pedestrian links and can demonstrate a partnership between the banquet/conference facility and hotel.

#### I.-H. Signage.

##### (1) Purpose and findings.

- (a) Signage associated with various land uses can have a significant effect on the health, safety, and welfare of the citizens of the County. It is desirable to minimize signs that distract a driver's attention from the road. It is also recognized, however, that signage is a necessity for business areas to thrive.
- (b) The Kent Narrows Waterfront Village Center District is intended to be an economic and commerce center in the County. The Kent Narrows Development Community Plan is aimed at creating a destination place for tourism and recreational activities. The new high-level Kent Narrows Bridge and road improvements move traffic through the area at a much faster speed, thereby making it more difficult for individual businesses to attract visitors.
- ~~(c) Balancing the conflicting interests specified in Subsection H(1)(a) and (b) of this section is not an easy task. Sign regulations that are extremely permissive will block water views, act as an unsightly distraction to both pedestrians and vehicle traffic, and detract from the desired character of~~

~~the area. Yet, overly restrictive Sign regulations will prevent local businesses from obtaining the visibility they need.~~

(c) All signage for single or multiple uses must be consistent with the architecture of the principal structure and be submitted for review as part of a site plan review.

(d) The regulations set forth in this subsection are intended to allow reasonable visibility to area businesses while not detracting from the character of the Kent Narrows.

(2) Measurement of signage area. The signage area shall be measured in the manner prescribed in § 18:1-79 of this Chapter 18:1.

(3) Sign lighting. Sign lighting shall be allowed and defined in the manner prescribed in §18:1-80 of this Chapter 18:1.

(4) Applicable standards.

(a) Except as provided in the table below, the general signage regulations for all development shall be those prescribed in § 18:1-81 of this Chapter 18:1.

#### **WVC Signage Standards**

<b>Sign Type</b>	<b>Dimension</b>
<b><u>Parcels with Live-Work Units</u></b>	
<u>Wall or projecting sign per business</u>	<u>6 square feet</u>
<b><u>Parcels with Mixed-Uses</u></b>	
<u>Wall or projecting sign per business</u>	<u>6 square feet</u>
<u>One freestanding sign for parcel</u>	<u>60 square feet</u>
<u>Maximum height for freestanding sign</u>	<u>15 feet</u>
<b><u>Parcels with one use or business</u></b>	
<u>Wall or projecting sign</u>	
Individual sign	90 square feet
One freestanding sign	60 square feet
Maximum height for freestanding sign	15 feet
<b><u>Parcels with more than one use or business</u></b>	
<u>Wall or projecting sign per business</u>	<u>60 square feet</u>
<u>Freestanding sign for parcel</u>	<u>60 square feet</u>
<u>Wall or projecting sign to identify overall development</u>	
Individual sign	90 square feet
Cumulative	180 square feet
Maximum height for freestanding sign	15 feet
<b><u>Parcels with shopping centers or convention centers</u></b>	
<u>Wall of projecting sign per business</u>	<u>60 square feet</u>
<u>One freestanding sign for entire parcel</u>	<u>150 square feet</u>
<u>Maximum height for freestanding sign</u>	<u>25 feet</u>

(b) As prescribed in the table in Subsection ~~(H)~~ 1(4)(a) of this section, a parcel with more than one business is allowed:

- [1] A Freestanding sign for the overall site;
- [2] A wall or projecting sign for each business; and
- [3] A wall or projecting sign to identify the overall site.

(5) Specific types of signs.

(a) Use signs.

[1] Where a use takes direct vehicular access from more than one street or road, one additional freestanding sign shall be allowed for each road to which the use takes access.

[2] Where a use adjoins more than one street or road, each frontage shall be allowed a freestanding sign, provided that the total square footage of freestanding signage on the site does not exceed what is otherwise permitted for freestanding signage.

[3] In addition to what is otherwise permitted by this Chapter 18:1, where a nonresidential use adjoins a navigable waterway, one freestanding sign shall be allowed, provided that the sign does not exceed 10 feet in height and 35 square feet in area.

[4] Public access signs, as specified by the County, to identify areas that are open to the public.

[a] Developers are responsible for the cost associated with the fabrication, posting and maintenance of public access signs.

[b] Public access signs will be prepared by the County, and the location of public access signs will be specified by the County.

(b) Development signs.

[1] Residential development signs shall provide only the name of the subdivision and/or a logo for the development, and may not exceed six feet in height and 36 square feet in area.

[2] All development signs shall be freestanding.

[3] Lighting of a development sign may be by the general lighting of the area, shielded spotlighting, internal backlighting, or backlighting.

(c) Miscellaneous signs.

[1] Marquees for theaters and museums shall be allowed one sign, provided that the sign has an area that does not exceed the lesser of 15% of the area of the facade on which it is located; or 250 square feet in area whichever is less.

~~[2] Commercial uses shall be allowed one auxiliary sign. An auxiliary sign may be freestanding, attached to a freestanding sign, or attached to the building, but may not exceed 32 square feet in size or four feet in height or be more than 20 feet from the building; and may not be a portable freestanding sign.~~

[2] Heritage signs shall be allowed within public accessways and on public lands of size, material, design, content and location approved by the County.

(d) ~~Directional signs: location signs.~~ On-premise directional signs.

~~[1] Off-premises directional signs shall be allowed to identify the Kent Narrows Area. Only one directional sign shall be allowed on the west side and one sign on the east side of the Kent Narrows. The directional signs:~~

~~[a] Shall contain only the name "Kent Narrows" and the logo for the Kent Narrows as adopted by the Kent Narrows Development Foundation and the County Commissioners;~~

~~[b] May be freestanding, wall, or projecting signs;~~

~~[c] May not exceed 30 feet in height and 200 square feet in area;~~

~~[d] Shall be designed as an architectural feature, such as a sign tower; and~~

~~[e] Are subject to the approval of the Planning Commission.~~

~~[2] [1] On-premise directional signs for the purpose of directing on-site circulation, parking, and loading may be allowed, provided that the signs may not exceed eight four square feet in area and six feet in height.~~

(e) ~~Advertising signs: Wayfinding signs.~~

~~[1] In order to facilitate reasonable advertising of commercial, industrial, and institutional uses within the Kent Narrows Waterfront Village Center, off-premises directional wayfinding signs with common logo shall be allowed in accordance with this subsection.~~

~~[2] One off-premises directional sign shall be allowed at each of the following intersections:~~

~~[a] Main Street/MD Route 18 and access road (east of Narrows);~~

~~[b] Kent Narrows Road and Kent Narrows Way;~~

~~[c] Main Street/MD Route 18 and access road (west of Narrows);~~

*[d] Piney Narrows Swan Cove Road and Piney Narrows Road;*

*[e] Main Street/MD Route 18 and Kent Narrows Way; and*

*[f] Any other locations deemed appropriate by the Planning Commission.*

*[3] Each sign shall contain:*

*[a] General directions (arrows pointing north, south, east, and west);*

*[b] The names and directions of relevant streets and roads; and*

*[c] The names of businesses advertised.*

*[4] A sign may not exceed 20 feet in height or 100 square feet in sign face area.*

*[5] Signs and sign supports shall be constructed of natural material and consist of earth-tone colors (i.e., brown, tan, gray); and shall be uniform in materials and colors.*

*[6] Sign script may not exceed one foot in height for each business name.*

*[7] Each off-premises directional sign shall advertise no more than 12 businesses.*

*[8] The construction, design, location, and placement of off-premises directional signs shall be administered by the Kent Narrows Development Foundation, which shall have discretion to establish reasonable fees and all signs shall be subject to the approval of the Planning Commission.*

*(f) Information Kiosks. Information kiosks may be no higher than seven (7) feet and no larger than twelve (12) square feet.*

*(g) ~~(f)~~ Temporary signs. Temporary signs shall be allowed in the manner prescribed in § 18:1-82.G of this Chapter 18:1.*

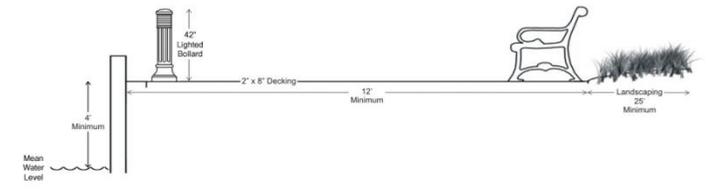
*J. f. Accessory docking facilities. Subject to the limitations of §§18:1-41 through 18:1-434 of this Chapter 18:1, Accessory docking facilities are allowed in the Waterfront Village Center (WVC) District, provided no overnight occupancy is allowed at any Accessory docking facility; and only docks and piers are allowed.*

*K. WVC District Design Guidelines:*

*(1) The architectural style, design and scale of buildings as well as their materials and colors must bear a strong relationship to a waterfront setting. The architectural relationship of the development to the waterfront as viewed from the water and adjacent public streets is important with respect to the following:*

- (a) Vehicular and pedestrian linkages. Linkages between architectural and site design of proposed development/ redevelopment to all points or paths of public access
- (b) Buildings placement. Buildings should be placed along the waterfront oriented to maximize water views and to allow for public access easements to the water. The following diagrams depict the design concepts for placement of various amenities.

Figure 1: Design Concept for Waterfront Access



(2) All new development and redevelopment in the WVC District is strongly encouraged to incorporate the following design guidelines. The Planning Director and/or Planning Commission shall consider these guidelines and the applicable design objectives of the Kent Narrows Community Plan when reviewing and approving development and redevelopment within the WVC District, though some flexibility in application may be necessary to accommodate existing conditions of a site or when balancing implementation of these design guidelines with other regulatory requirements.

- (a) Boardwalks: Public access boardwalks as indicated in the Future Circulation Plan, wherever possible, shall be located at the shoreline unless an applicant proposing a secured facility not open to the public can sufficiently demonstrate that a shoreline boardwalk will compromise on-site security in the area where watercraft are moored, berthed or docked at the waterfront then an alternate pedestrian access to provide the connections proposed in the Future Circulation Plan and public waterfront access may be considered. The Planning Commission or Planning Director may not approve an alternate boardwalk location unless it finds that the alternative is consistent with the goals and objectives of the Future Circulation Plan and the Kent Narrows Community Plan.

The following boardwalk design standards shall apply:

- [1] The minimum width at any location along the boardwalk shall be 12 feet.
- [2] Top of deck shall be a minimum of 4 feet above mean water level (MWL) or match the existing adjacent grade elevation, whichever is greater.

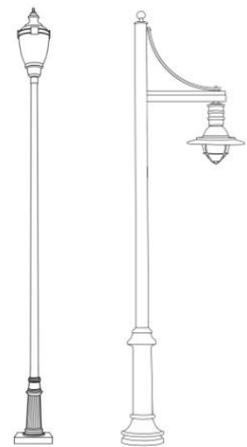
[3] The boardwalk and any other pedestrian ways shall be handicapped accessible.

[4] In situations where any part of the boardwalk is laid directly on grade, the surface below the construction shall be treated to prevent the growth of vegetation.

(3) Exterior Lighting: Exterior lighting should be of a design and size compatible with the building and adjacent uses. Lighting should be restrained in design, and excessive brightness or glare should be avoided. Lighting for pedestrian areas, boardwalks and walkways should be aesthetically pleasing and adequate for public safety, as well as in keeping with the working waterfront design theme.

(a) Pedestrian scale ornamental lighting shall be provided along the waterfront on boardwalks and pedestrian walkways using illuminated bollards along the waterfront and/or with pedestrian scale ornamental lighting either along the edge of the boardwalk furthest from the waterfront or placed behind the boardwalk between the boardwalk and building facades. Figure 2 provides details of acceptable styles with the ability to have a similar style approved.

Figure 2 . Ornamental Lighting



(b) Along walkways and on boardwalks an illumination level of 0.6 lumens per horizontal square foot shall be provided with mounting height not in excess of 10 feet if ornamental lighting is used. Sodium vapor light source is unacceptable for pedestrian lighting.

(c) Parking lots shall be lighted to an illumination level of 1.0 lumens per horizontal square foot with mounting height not in excess of 25 feet. Sodium vapor light source will be allowed.

(4) Streetscapes, Boardwalk, Pathways and Open Space Furniture: Outdoor furniture for streetscapes and public spaces shall be in keeping with working waterfront design theme. The following standards shall apply:

(a) Benches shall be provided consistent with the diagram. Benches shall be placed no further than 100 feet apart along the boardwalk in groupings. Public plazas shall contain at a minimum, one (1) linear foot of seating for every 100 square foot of plaza. Figure 3 provides details of an acceptable style.

Figure 3 - Benches



(b) Trash receptacles shall be provided consistent with Figure 4 and shall be spaced in proximity to benches, outdoor dining areas and entrances to business establishments.

Figure 4 . Trash Receptacles



(c) Bollards shall be provided consistent with Figure 5. Depending upon the location and need for illumination, the bollards may or may provide illumination for safety purposes. Illumination requirements are to be determined by the County. Bollards styles should be provided similar to diagramed design concept.

Figure 5 . Illuminated  
Bollard



(d) All public and private streetscapes, boardwalks, pathways and open space shall be built and improved to meet the requirements for pedestrian access and to the specifications for public improvements.

(5) Landscaping: Parking Areas and sidewalk areas shall be enhanced with landscaping. Attractive landscape transition to adjoining properties should be provided and existing mature landscaping/trees on sites should be preserved. Landscape and screening treatments between potentially incompatible uses should be enhanced when necessary to lessen any negative impacts. Landscaping shall not be used to block waterfront view or vistas. Street trees should be planted to help enclose and shade the street and pedestrianways.

(a) Emphasis should be placed on native vegetation. Shrubbery requiring high maintenance should be avoided. Seasonal flowering plants should be encouraged for accent areas.

(b) Ground cover such as ivy should be used instead of higher maintenance planting such as grass.

(c) Evergreen plantings should be considered for use as screening instead of fencing or walls.

(d) All plant material should carry a guarantee of at least one growing season and should generally average the median size ranges indicated by the requirements of the "U.S.A. Standard Nursery Stock" as published by the American Association of Nurserymen.

(6) Parking Areas: Parking areas should be to the side and rear of buildings with allowances for shared parking to the rear of buildings or in public parking lots or facilities. Connecting rear parking lots should be encouraged to allow customers and residents to drive to establishments along corridors without entering public roads and interrupting traffic and pedestrian flows. Individual curb cuts should be reduced. Parking should not be placed directly in front of the portion of the building façade containing the primary entrance to the structure.

(7) Walkways/Pathways: Public viewing and access walkways/pathways identified on the Future Circulation Plan can be constructed in one of two ways. In both cases, walkways/pathways will be a minimum of 5 feet in width and ADA compliant.

(8) Roadside Sidewalks: Roadside sidewalks should be provided when sites are developed or redeveloped. Sidewalks linking structures to roadside sidewalks and pathways should be provided where practical. Sidewalks shall be ADA compliant.

(9) Building Design Characteristics: New construction, redevelopment and rehabilitation of existing structures should be designed and built to blend with existing structures in Kent Narrows encouraging innovative and creative solutions in terms of formal characteristics, such as shape, height, massing, roof shapes and door and window proportions. The following guidelines are based on these existing conditions:

(a) All materials will be subject to review by the KNDF Board of Directors.

(b) The predominant roof form of the Kent Narrows is sloped, not flat. It is highly recommended that where possible, the use of sloped roof be incorporated into buildings form.

(c) All mechanical equipment and service areas must be screened from view of adjacent roads and structures with a parapet or other screening device which is an integral part of the screening building design.

(d) Signage should be in compliance with WVC Zoning requirements with regard to size, location, number, lighting and other requirements. The signage should be consistent with building design and color scheme and be located so as not to detract from the overall project architecture.

(e) Fencing should be treated as part of the overall building design in its material and color. Fences should be limited to screening service area and mechanical equipment so as not to block possible water views and vistas. Where they are used for property definition, they should be designed to be as open as possible.

(10) Site Design Criteria for Buildings and Public Space: The following general requirements should be taken into consideration when designing buildings and preparing site plans.

(a) Wherever possible, retail, outdoor restaurants, public plaza areas, or some other type of activity space should be planned adjacent to the public boardwalk to enhance pedestrian movement. "Dead" activity areas should be avoided at all costs.

(b) Retail Kiosks may be placed within or adjacent to pedestrian walkways and boardwalks in compliance with ADA standards and acceptable design standards. A permit must be obtained from the County to establish a retail kiosk at an approved location.

(c) Wherever possible, arcades or covered areas should be planned along the boardwalk to provide protection from the weather.

(d) Buildings and structures with waterfront access, view or vista should be oriented toward the water with building and structure design to be double-fronted (one facing the water and the other facing the adjacent street). Buildings should be appropriately scaled and in harmonious conformance with neighboring development.

(e) Full façade treatment, foundation landscaping and lighting should be required on all building elevations that are visible from the public way and water.

(11) Access: In order to minimize the number of vehicular access points on public roads in the Kent Narrows area for reasons of pedestrian and vehicular safety and to promote adequate circulation by reducing congestion caused by turning movements, development requiring site plan or subdivision approval should comply with the following standards:

(a) All uses should be discouraged from taking more than one point of access. In instances where more than one access point is needed, the number should be minimized by combining access points for adjacent parcels.

(b) Uses having at least one hundred (100) feet of road frontage may have a single access per one hundred (100) feet of frontage. Access points should not be located within seventy five (75) feet of each other measured from centerline of each access way.

(c) Parcels having less than one hundred (100) feet of road frontage will be encouraged to have a system of shared access points with linked parking areas for internal circulation.

(d) At intersections of access and public roads, an area of clear vision should be maintained at least one hundred (100) feet in approaching directions. All plant material within this area should be kept lower than three (3) feet.

L. Minimum public improvements required. All new developments and redevelopment of lands with water frontage shall be required to provide basic boardwalk improvements in accordance with K(1) for public access in accordance with the following:

(1) Developers/land owners shall be responsible for the perpetual maintenance of public accessways, paths and boardwalk improvements.

(2) Developers/land owners shall dedicate public access easement(s) for boardwalks and paths for perpetual use and access to the public.

M. J—Site plan review; approval of site plan. In addition to the requirements of Part 7, Article XXV, the Planning Commission or Planning Director may not approve a site plan for development of a parcel in the Kent Narrows area unless it has fully considered the recommendations of the Board of Directors of the Kent Narrows Development Foundation and makes the following findings:

(1) That the development is consistent with the goals, objectives, and policies of the Kent Narrows Area Plan component of the County's Comprehensive Plan until such point as it is updated.

N. K Bonus.

(1) In general.

(a) When approving a site plan within the WVC District, the Planning Commission at the time of site plan review may consider a modification to (F)(2)(a)[2] to permit a maximum nonresidential floor area ratio of .40 with no other bonus provision requirements specified in subsection N.(2) below provided at least 50% of the first floor area is elevated to allow for parking under the building.

(b) (a) When approving a site plan within the WVC District, the Planning Commission at the time of site plan review, may grant a bonus to the normally allowed floor area and building height standards as provided in Subsection F above

(c) Subject to Subsection ~~K(1)(c)~~ N.(2) below, the Planning Commission may grant a specified bonus:

[1] Up to .50 FAR; and

[2] Up to 60 feet in allowable building height.

(d) The resulting bonus may not exceed the maximum bonus allowed by the bonus schedule.

(2) Determination of bonus.

(a) Basis.

[1] The allowable bonus shall be determined based upon a monetary contribution or value of the amenity to be provided by the developer for the public benefit for the amount of improvements proposed that exceed those permitted under the ordinance. Public amenities include, but are not limited to:

[a] All amenities identified in Subsection K.

[b] In addition to the required 30% open space improvements, an additional 10% public open space improvements or

monetary contribution for improvement of existing public lands, public art and heritage signage using the following formula:

Commercial 2% of construction costs

Mixed-Use 2% of construction costs

[c] Ten percent (10%) of proposed slips dedicated for public access.

[d] Mixed residential-commercial uses that provide ten percent (10%) moderately priced dwelling units in accordance with §18:1-108.

[e] Improvements to the Cross Island Trail. Monetary contribution for the purpose of expanding the Cross Island Trail using the following formula:

Commercial 4% of construction costs

Mixed-Use 2% of construction costs

[f] Monetary contributions may be paid over three years accruing at one percent (1%) over prime rate annually.

~~[2] The value of the bonus floor area should generally equal the monetary contribution or the value of the amenity to be provided by the developer.~~

~~[2] [3] A list of amenities and associated costs shall be kept by the Director of the Department of Planning and Zoning.~~

(b) In addition to consideration of the value of the amenity as provided in Subsection N K(1) of this section, the Planning Commission, when approving a bonus at the time of Concept Plan, shall consider:

[1] The intent of this section;

[2] Provisions for public open space and amenities as described in the Kent Narrows ~~Development Handbook~~ Community Plan;

[3] Compatibility with adjacent existing and permitted uses and developments;

[4] The particular dimensions, grade, and orientation of the site; and

[5] How the amenities provided or the contribution and increase in floor area will help achieve the goals, objectives, and policies for development in the Kent Narrows.

(c) The Planning Commission shall grant a bonus only if the Planning Commission finds that the proposed development:

[1] *Is consistent with the overall development scheme in the Kent Narrows ~~Development Handbook~~ Community Plan;*

[2] *Will not overburden existing public services, including parking, water, sanitary sewer, public roads, storm drainage, and other public improvements;*

[3] *Will not create a threat to the public health, safety, or welfare.*

...

**ARTICLE VII.  
Supplemental Uses**

...

**§ 18:1-53. Temporary Uses**

...

D. *Specific temporary uses permitted. The following are temporary uses that are subject to the following specific regulations and setbacks, in addition to the other requirements specified in this Chapter 18:1.*

...

(7) *Retail Kiosks are permitted in the WVC District as accessory uses where the use is incidental to tourism activities with the kiosk permitted to provide information, ticket sales for sightseeing or excursions, small-scale retail incidental to cultural, historic and tourism activities associated with the community and refreshments. Food Services are excluded from uses permitted.*

*(a) The maximum length of a permit shall be up to 100 days issued no earlier than Memorial Day valid up to and including Labor Day (seasonal time period).*

*(b) Retail Kiosks shall be removed during non-seasonal time period and shall be stored indoors.*

*(c) Retail Kiosks are permitted on private property, in public access easements and on boardwalks.*

*(d) ADA compliance for safe and accessible pedestrian access must be maintained when considering placement of the kiosk.*

*(e) Permits are renewable annually at the discretion of the Planning Director.*

...

**§18:1-58, Additional uses and regulations.**

...

L. Banquet Facilities

- (1) Valet service. If valet service is provided, a ratio of at least one valet per 75 guests shall be maintained.

...

**ARTICLE XIII.  
Off-Street Parking and Loading**

**§ 18:1-83. Application of article**

*This article describes required standards for off-street parking and off-street loading.*

...

**C. Commercial and entertainment uses.**

...

- (17) For banquet and conference center facilities, the minimum number of parking spaces shall be one space per 250 square feet of gross floor area.

- (18) For nightclubs, the minimum number of parking spaces shall be:

- (a) One space per 100 square feet of gross floor area; and
- (b) One space per employee on the largest work shift; and
- (c) One space per table for any outdoor seating.

...

**H. Outdoor recreational uses.**

...

- (5) For amphitheater, the minimum number of parking spaces shall be one space per three patrons/users based upon maximum capacity. This requirement may be satisfied on a space-by-space basis by the facility if the facility provides written proof that it has the use of a nearby parking lot available to its patrons.

...

**K. Road and Water Service Uses**

- (6) For maritime convenience stores, the minimum number of parking spaces and docking facilities shall be:

- (a) One space per 350 square feet of gross floor area; and
- (b) When fueling pumps for watercraft are proposed as part of the store operation, waterfront docking facilities for fueling must be provided.

. . .

P. Live-work units. For live-work units, the minimum number of parking spaces shall be:

- (1) Two spaces per each unit for live/work units less than 2,500 square feet
- (2) Two spaces for the first 2,500 square feet plus one space for each additional 200 square feet of space for retail or customer service.

Q. High dry storage facilities or rackominiums. For high dry storage facilities or rackominiums, the minimum number of parking spaces shall be:

- (1) One space per ten dry boat storage spaces;
- (2) One space per two wet slips;
- (3) Wet slips used for charter boats including, but not limited to charters for fishing, shelling, diving and sightseeing purposes are computed at one space per three boat passengers based on the maximum number of passengers with charter boats used for dining are computed at one space per two boat passengers based upon the maximum number of passengers.
- (4) Other uses associated with high dry storage facility or rackominium as part of a mixed-use development must meet additional parking requirements as specified for specific uses.
- (5) One space per one employee of the largest shift.

R. ~~P.~~ Off-street parking design standards

. . .

## **ARTICLE XVII. Procedures and Standards**

### **§18:1-95. Additional Standards for Specific Conditional Uses.**

. . .

P. High Dry Storage Facilities or Rackominiums.

- (1) Purpose and intent. The purpose of this subsection is to establish general guidelines for the establishment and siting of high dry storage facilities or rackominiums.
- (2) High Dry Storage Facilities or Rackominiums of more than 10,000 square feet shall be developed only as part of a mixed-use project, including one or more of the following uses permitted in the zoning district:
  - (a) Commercial Apartments;

- (b) Maritime Convenience Store;
  - (c) Restaurants;
  - (d) Retail Shops and Boutiques;
  - (e) Office and meeting office space;
  - (f) Luxury rest facilities or club house;
  - (g) Shower areas, changing rooms, lockers and lounging areas;
  - (h) Full-service fueling station;
  - (i) Marina to support slips; and
  - (j) Pedestrian boardwalk along waterway with public access.
- (3) High Dry Storage Facilities or Rackominiums shall be serviced by sanitary sewer connections for pump outs for boat slips within the marina.
- (4) Outside storage of boats is not permitted.
- (5) All on-site storage of flammable liquids shall be subject to the requirements of §18:1-58B and C.
- (6) Reasonable distances shall be maintained between water and parking, loading and storage areas.
- (7) Use of impervious ground surface shall be minimized wherever possible.
- (8) Dimensions and locations of channels shall be designed to achieve maximum flushing of the marina basin.
- (9) The flow and volume of the natural drainage system, both on-site and on adjacent properties, shall be maintained.
- (10) The site must be landscaped, aesthetically lighted with security gates, fences and recreational amenities with public access to pedestrian walkways to access pedestrian boardwalks along the waterway.
- (11) Building/structure design must include facades that are compatible with surrounding using architectural features such as windows, peaked roofs and other architectural features that create roof breaks and breaks in the façade.
- (12) All height, setback, FAR and other bulk standards of the zoning district must be met.

**Chapter 18App**  
**Appendix A: Glossary**

**§ 18 App-1. Definitions.**

. . .

AMPHITHEATER – A level open space surrounded by an oval or portion thereof that gradually ascends used for seating people on the sloping area for viewing of outdoor events.

. . .

BANQUET FACILITIES – A sit-down eating and/or liquor sales establishment designed primarily for conducting weddings, receptions, parties and similar functions. Accessory activities, such as entertainment scheduled in conjunction with reserved events may be permitted.

. . .

HERITAGE SIGNS – A sign located within a public access easement or on public property with educational content identifying historic, cultural or natural resources. The design of heritage signs is determined by the County.

. . .

HIGH DRY STORAGE FACILITIES OR RACKMINIUMS – A fully enclosed structure used to store boats indoor during seasonal or non-seasonal times with facilities for associated repairs, refurbishing and maintenance offered by fully accredited, licensed and insured marine service contractors. The facility may or may not have the following associated uses such as: a maritime convenience store, an office and office space, luxury rest facilities or club house including shower areas, changing rooms, lockers and lounging areas and full-service fueling station.

. . .

INFORMATIONAL KIOSK – Any structure erected in a public place with approval of the Department of Planning & Zoning for the specific purpose of displaying information to direct pedestrians. Information kiosks can be erected on public access easements, boardwalks and County lands. Information kiosks are distinguished from “free-standing signs”.

. . .

LIVE-WORK UNIT - A dwelling unit with living space in combination with a shop, office, studio, or other work space within the same unit, where the resident occupant both lives and works. The live-work unit possesses the following characteristics:

- (a) The work space component must be located on the first floor and basement of the building, with an entrance facing the primary abutting public street and with double frontage along pedestrian walkways or pathways.
- (b) The dwelling unit component must be located above or behind the work space, improved as a dwelling and maintain a separate entrance located on the front or side facade and accessible from the primary abutting public or private streets.
- (c) The office or business component of the unit shall not exceed fifty (50) percent of the total gross floor area of the unit. The living space shall not exceed sixty (60) percent of the total gross floor area of the unit.
- (d) Living Space – Space within the dwelling unit for living, sleeping, eating, cooking, bathing, washing or sanitation purposes. Living space does not include closets, common or shared hallways or stairways providing access to individual dwelling units.
- (e) The business component of the building may include home occupations, offices, small service establishments, homecrafts which are typically considered accessory to a dwelling unit, or retailing associated with fine arts, crafts, or personal services. It may not include a wholesale business, a manufacturing business, a commercial food service requiring a license, a limousine business or auto service or repair for any vehicles other than those registered to residents of the property.
- (f) Artist's studio – A place designed to be used, or used as, both a dwelling place and a place of work by an artist, artisan or craftsperson, including persons engaged in the application, teaching or performance of fine arts such as, but not limited to, drawing, vocal or instrumental music, painting, sculpture and writing.
- (g) Prohibited uses include: amusement and recreation uses; bars; pet stores, kennels, animal hospitals; gun and firearm sales; and, automotive service stations and motor vehicle repair garages.

...

MARITIME CONVENIENCE STORE – A small-scale retail store, no larger than 1,200 square feet with hours of operation from 18 to 24 hours daily, seven days a week, providing a limited range of retail goods and services designed to serve surrounding maritime needs, which may or may not include waterfront fueling for water craft only, and tourists needs.

...

MIXED USE – The combining of retail/commercial and /or service uses with residential or office use in the same building or on the same site in one of the following ways:

(a) Vertical Mixed Use. A single structure with the above floors used for residential or office use and a portion of the ground floor for retail/commercial or services uses.

(b) Horizontal Mixed Use. A single structure which provides retail/commercial or service use in the portion fronting the public or private street or public accessway with attached residential or office uses behind.

(c) Horizontal Mixed Use. Two or more structures on one site which provide retail/commercial or service uses in the structure(s) fronting the public or private street or public accessway, and residential or office uses in separate structure(s) behind or to the side.

<b>Mixed Use Options</b>	<b>Number of Floors</b>	<b>Percentage of Residential Use or Commercial Apartments</b>
<u>Vertical Mixed Use</u>	<u>2</u>	<u>50% of total gross floor area with residential located on upper floor</u>
<u>Vertical Mixed Use</u>	<u>3</u>	<u>66% of total gross floor area with residential located on upper floors</u>
<u>Vertical Mixed Use</u>	<u>4</u>	<u>75% of total gross floor area with residential located on upper floors</u>
<u>Horizontal Mixed Use . Single Structure</u>	<u>1</u>	<u>50% of total gross floor area using a vertical split with commercial located along the street front or public accessway</u>
<u>Horizontal Mixed Use . Single Structure</u>	<u>2</u>	<u>50% of total gross floor area using a vertical split with commercial located along the street front or public accessway on all floors</u>
<u>Horizontal Mixed Use . Single Structure</u>	<u>3</u>	<u>66% of total gross floor area using the following allocation:</u> <ul style="list-style-type: none"> <li>• <u>Floors 1 and 2 . 50% vertical split of commercial and residential uses with commercial located along the street front or public accessway</u></li> <li>• <u>3<sup>rd</sup> floor . 100% residential use</u></li> </ul>
<u>Horizontal Mixed Use . Single Structure</u>	<u>4</u>	<u>75% of total gross floor area using the following allocation:</u> <ul style="list-style-type: none"> <li>• <u>Floors 1 and 2 - 50% vertical split of commercial and residential uses with commercial located along the street front or public accessway</u></li> <li>• <u>Floors 3 and 4 . 100% residential use</u></li> </ul>
<u>Horizontal Mixed Use . Multiple Structures</u>	<u>N/A</u>	<u>50% of total gross floor area of development with retail/commercial fronting the public or private street or public accessway</u>

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NIGHTCLUB – A place of amusement and entertainment including, but not limited to a bar, tavern or cocktail lounge which serves food where the percentage of food sales is less than eighty percent (80%), or drink, but is distinguished by the provision of live entertainment and/or dancing facilities with hours of operation between 10:00 PM and 2:00 AM. A nightclub is not an adult entertainment facility.

• • •

RETAIL KIOSK – A small outside building or structure designed for pedestrian access usually referred to as a stand and used to provide information, ticket sales for sightseeing or excursions, small-scale retail incidental to cultural, historic and tourism activities associated with the community and pre-packaged refreshments. Food services are excluded from uses permitted and drive-up/drive-through service is prohibited.

• • •

WAYFINDING SIGN – An off-premise sign with a County logo that is part of a Kent Narrows Development Foundation sponsored and coordinated program for the purpose of facilitating circulation to and from tourist destinations as recognized by the Kent Narrows Community Plan.