

Proposed Modifications to the Article 14A of the Purcellville Zoning Ordinance

ARTICLE 14A. ~~HISTORIC CORRIDOR~~ AND ~~OVERLAY DISTRICT~~ HCZONE

Section 1. - Intent.

The ~~historic corridor overlay district~~ Historic Corridor and Overlay Zone is intended to implement the Purcellville comprehensive plan goals of protecting the town's unique historical resources and architectural character, ensuring that new development is in keeping with the small-town character of Purcellville, encouraging aesthetic treatment along the entrances to town to provide an attractive entry into the historic town core, and promoting tourism and visitor opportunities through historic preservation and Main Street revitalization, all of the foregoing being deemed to advance and promote the public health, safety and welfare of the citizens of Purcellville and its visitors.

Section 2. - Applicability.

The ~~historic corridor overlay district~~ Historic Corridor and Overlay Zone is created under authority of Va. Code Ann. ("Virginia Code") § 15.2-2306 (2018), in order to conserve elements of the ~~Town~~ town's historic character, ~~and in accordance with Section 15.2-2306 of the 1950 Code of Virginia, as amended,~~ to preserve and protect ~~corridors:~~ (i) along all properties that front on "arterial" streets or highways designated as such pursuant to (as defined under Title 33.1-33.2 of the Virginia Code found) when the arterial street or highway is determined by the town council to be either a significant routes route of tourist access to the town; ~~(ii) to historic landmarks as may be established by the Virginia Board of Historic Resources and any other buildings or structures within the town having an important historic, architectural or cultural interest and any historic areas within the town as defined by,~~ or a significant route of access to the town's designated historic resources ("resources" is hereinafter defined); (ii) all eligible and designated historic resources in the Town of Purcellville that are listed in the National Register of Historic Places, in the Virginia Landmarks Register, or designated by the Town of Purcellville as a local landmark, and; and (iii) any area identified by a town ordinance as an "historic area," as that term is defined under Virginia Code § 15.2-2201; or (iii) to designated historic landmarks, buildings, structures or districts in any contiguous locality-2201, as amended.¹

~~An historic corridor overlay district~~ The Historic Corridor and Overlay Zone may be established over any ~~base~~ base zoning ~~district and/or~~ classification, over any other overlay ~~district~~ zone, and ~~upon~~ over the streets and highways and their associated rights-of-way ~~identified~~

¹ As of the date this ordinance was adopted, "Historic area" was defined by Va. Code 15.2-2201 to mean, "an area containing one or more buildings or places in which historic events occurred or having special public value because of notable architectural, archaeological or other features relating to the cultural or artistic heritage of the community, of such significance as to warrant conservation and preservation.

1 in-subsection 2.2 (the "HG-streets"), regardless of whether such ~~HC~~-streets and highways are
2 otherwise within a zoning ~~district~~classification.
3

4 2.1. The ~~Historic corridor overlay districts are~~Corridor and Overlay Zone is hereby
5 established ~~over~~as follows:

- 6 a. Over and upon both the streets and the parcels/lots of land contiguous to
7 ~~the HC~~such streets ~~in subsection 2.2 from the edge of the~~
8 ~~right-of-way~~as identified in Subsection 2.2, including the full depth of the
9 parcel/lot as ~~the parcel~~it existed on ~~the original adoption date of these~~
10 ~~historic corridor regulations~~September 13, 2005, and as shown on the
11 Purcellville Zoning Map.
12 b. Over and upon all parcels/lots of land under common ownership that are
13 associated with an address that contains a "historic resource," as that term is
14 defined in Section 2.4 herein.
15

16 The town may annually consider updates to the boundaries of the Historic Corridor
17 and Overlay Zone so that it is expanded to include newly identified historic
18 resources in the town, and contracted to reflect the removal or demolition of
19 historic resources.
20

21 2.2. Subject to ~~subsection 2.1, historic corridor overlay districts are~~Subsection 2.1,
22 the Historic Corridor and Overlay Zone is hereby established upon and along the
23 following streets in their entirety within the corporate limits of the Town of
24 Purcellville:

- 25 a. ~~1-~~ Main Street (Route 7 Business)-
26 b. ~~2-~~ Route ~~287-~~287 (Berlin Turnpike)
27 c. ~~3-~~ Route 690 North (23rd and 21st ~~Street~~)-Streets
28 d. ~~4-~~ Route 690 South (32nd Street)-
29 e. ~~5-~~ Route 1604 (21st Street between Main and 23rd Streets)-
30

31 2.3 Unless otherwise expressly exempted, no structure, or building within ~~an historic~~
32 ~~corridor overlay district~~the Historic Corridor and Overlay Zone shall be erected,
33 reconstructed, altered, restored, relocated or demolished, in whole or in part, unless
34 and until a certificate of design approval authorizing such work shall have been
35 approved in accordance with this article.
36

37 2.4 Definitions.

38 For the purposes of this article, the following definitions shall apply:

- 39 a. Resource. Is a building, structure, object, site, district (or contributor to a
40 district), as identified in National Register Bulletin 15.
41

1 ~~(1) Structure. Anything manmade, including but not limited to buildings,~~
2 ~~outbuildings, walls, and fixtures.~~

3 ~~b. (2) Historic preservation professional. A person~~ or firm who have who meets
4 the U.S. Secretary of the Interior's professional qualifications ~~to conduct~~
5 ~~evaluations of the historic character and significance of manmade~~
6 ~~structures, historic sites, etc., including, but not limited to architectural~~
7 ~~historians, historians and — archaeologists~~ as published in the Code of
8 Federal Regulations, Title 36 CFR Part 61, in history, architectural history,
9 historic architecture or archeology.

10
11 ~~c. (3) Historic structure. Any structure~~ Resource. Is any resource that is:

12 ~~(a) i. Listed individually in the National Register of Historic Places (a listing~~
13 ~~maintained by the Department of the Interior) or the Virginia~~
14 ~~Landmarks Register or preliminarily determined as meeting the~~
15 ~~requirements of eligible for individual listing on in the National Register or of~~
16 Historic Places or in the Virginia Landmarks Register; or

17
18 ~~(b) — Certified ii. A designated historic district listed in the National~~
19 ~~Register of Historic Places or in the Virginia Landmarks Register or~~
20 ~~preliminarily determined by the U.S. Secretary of the Interior or the Virginia~~
21 ~~Department of Historic Resources (DHR) as contributing to the historical~~
22 ~~significance of a registered historic district or a district preliminarily~~
23 ~~determined by the Secretary or the DHR to qualify as a registered~~
24 ~~historic as eligible for listing in the National Register of Historic Places or in~~
25 the Virginia Landmarks Register as a historic district, as well as the individual
26 resources determined to contribute to such a district; or

27 ~~(c) Individually listed on a local inventory of historic structures; or~~

28 ~~(d) Designated for protection by the town as a historic structure.~~

29 ~~A historic designation for properties not yet surveyed or designated under items (a)-~~
30 ~~through (d) above shall be made by the zoning administrator on a case-by-case~~
31 ~~basis under the written opinion of an historic preservation professional, such as an~~
32 ~~architectural historian or — historian.~~

33
34 iii. A local landmark, as designated by resolution of the Purcellville town
35 council upon a determination that the resource is at least 50 years old and
36 meets the evaluation and designation criteria contained in National Register
37 Bulletin 15. Such local landmark may be either an individual resource or a
38 district.

39
40 2.5 Exemptions.

The provisions of ~~section 5.1~~ Section 5.1 of this article notwithstanding, no certificate of design approval shall be required for the following ~~activities~~:

a. Lots within the Historic Corridor and Overlay Zone that do not contain a historic resource on them, unless they are subject to the provisions of Section 2.1(a) of this ordinance.

~~(1) Construction or alteration of~~ For historic and non-historic resources, construction or alterations to main and accessory buildings or structures in single-family detached residential use or in an agricultural and forestal district where no site plan is required for the work. Demolition or removal of a historic structures resource from a lot is NOT exempted by this section, including demolition by neglect.

~~b. (2) Interior alterations to~~ a ~~any~~ building or structure having no effect on its exterior appearance ~~of the building or structure~~.

~~c. (3) Construction of ramps and other modifications to serve the~~ handicapped disabled.

~~d. (4) The repair and/or~~ maintenance of non-conforming buildings, structures, and objects authorized pursuant to ~~section 5.2~~ Section 5.2 of this article.

~~e. (5) General maintenance where no change in design or material is proposed~~ interior or exterior maintenance to any building or structure. Re-painting, foundation repair, or re-roofing a building or structure shall not be considered an exterior change.

~~f. (6) Additions or modifications to~~ a ~~any~~ building or structure where no change in design or material is proposed as determined by the zoning administrator.

~~g. (7) Signs~~ New signs, fences, walls, and light poles.

2.6 A certificate of design approval is required ~~for the following~~ as follows in the Historic Corridor and Overlay Zone:

1
2 ~~a. a.~~ Except as otherwise provided in ~~section 2.5~~ Section 2.5 of this article, no
3 zoning permit shall be issued for any purpose, including demolition, unless and
4 until a certificate of design approval has been issued in accord with this article
5 for improvements subject to such zoning permit.

6
7 ~~b. b.~~ Except as otherwise provided in ~~section 2.5~~ Section 2.5 of this article, for any
8 development requiring site plan approval, no final site plan shall be approved by
9 the town unless and until a certificate of design approval has been issued in
10 accord with this article for all buildings and improvements shown thereon. The
11 certificate of design approval shall be binding upon the proposed development
12 ~~as to, including all~~ conditions of issuance. The certificate ~~shall certify~~ of design
13 approval may be issued only upon a determination by the Board of Architectural
14 Review that the proposed development, as may be modified by the conditions of
15 issuance, is consistent with the design criteria of ~~section~~ Section 8 of this article
16 and any additional design guidelines adopted by the town council ~~for the~~
17 ~~specific HC street~~ applicable to the subject property. Signature by the zoning
18 administrator upon the final site development plan or zoning permit, as the case
19 may be, shall ~~be deemed to constitute such certification~~ constitute
20 verification that a certificate of design approval, if required, was obtained from
21 the Board of Architectural Review in accordance with this article.

22
23 ~~c.~~ In making such determination as to consistency with design guidelines, the
24 ~~board of architectural review~~ Board of Architectural Review may specify any
25 architectural feature as to appearance, such as, but not limited to, motif and
26 style, color, texture and materials together with configuration, orientation and
27 other limitations as to mass, shape, height and location of buildings and
28 structures, location and configuration of parking areas and landscaping and
29 buffering requirements to the extent such practices are authorized under the
30 design criteria of ~~section~~ Section 8 of this article and any design guidelines
31 hereafter adopted by the town council without regard to regulations of the
32 underlying zoning ~~district~~ classification or other provisions of this ordinance.

33 34 2.7 Demolition permit review and approval.

35
36 No historic ~~structure~~ resource, as defined in this article, within any ~~historic corridor overlay~~
37 ~~district~~ area of the Historic Corridor and Overlay Zone shall be ~~razed~~, demolished or moved, in whole
38 or in part, until the ~~razing~~, demolition or moving thereof is approved by the ~~board of architectural~~
39 ~~review~~ Board of Architectural Review, or, on appeal, by the town council after consultation with the
40 ~~board of architectural review~~ Board of Architectural Review.

41 In addition to the right of appeal set forth herein, the owner of a historic ~~structure~~ resource, the

1 ~~razing or~~ demolition or moving of which is subject to the provisions of this section, shall, as a matter
2 of right, be entitled to ~~raze or~~ demolish or move such ~~landmark, building or structure~~ historic
3 resource, provided that: (i) ~~he the owner~~ has applied to the town council for such right, (ii) the owner
4 has for the period of time set forth in the schedule contained in Section §15.2-2306 of the 1950
5 Code of Virginia (the "Code"), ~~as amended~~, and at a price reasonably related to its fair market
6 value, made a bona fide offer to sell the ~~landmark, building or structure~~ historic resource, and the
7 land pertaining thereto, to the town or to any person, firm, corporation, government or agency
8 thereof, or political subdivision or agency thereof, which gives reasonable assurance that it is willing to
9 preserve and restore the ~~landmark, building or structure~~ historic resource and the land pertaining
10 thereto, and (iii) no bona fide contract, binding upon all parties thereto, shall have been executed for
11 the sale of any such ~~landmark, building or structure~~ historic resource, and the land pertaining
12 thereto, prior to the expiration of the applicable time period set forth in the time schedule specified in
13 the Virginia Code. Any appeal which may be taken to the court from the decision of the town council,
14 whether instituted by the owner or by any other proper party, notwithstanding the provisions
15 heretofore stated relating to a stay of the decision appealed from shall not affect the right of the
16 owner to make the bona fide offer to sell referred to above. No offer to sell shall be made more than
17 one year after a final decision by the town council, but thereafter the owner may renew his request to
18 the town council to approve the ~~razing or~~ demolition or moving of the historic ~~landmark, building~~
19 ~~or structure~~ resource.

20
21 a. Demolition Approval Criteria Considerations.

22 In reviewing applications for the demolition or moving of a historic resource
23 from or within the Historic Corridor and Overlay Zone, the Board of
24 Architectural Review shall consider the following:

25
26 i. How the demolition or removal of a historic resource from the property on
27 which it is located will impact the historic integrity of the site and any
28 remaining on-site historic resources on the same property based on the
29 integrity considerations in National Register Bulletin 15;

30
31 ii. How the loss of the historic resource will impact the historic integrity of
32 any adjacent historic property based on the integrity considerations
33 contained in National Register Bulletin 15;

34
35 iii. The impact the loss of the historic resource will have on the overall
36 integrity to any historic district the historic resource is located in based on
37 the historic integrity considerations contained in National Register Bulletin
38 15;

39
40 iv. The ability of the historic resource to be adaptively re-used as part of a
41 new on-site development which would not adversely impact the historic
42 resource's ability to convey its historic significance through its integrity of

location, setting, feeling, association, design, materials and workmanship, as described in National Register Bulletin 15; and

v. Whether any monies or assistance for preservation of the historic resource could be made available to the property owner within 180 days of the owner's request to demolish or move it.

2.8 Demolition by neglect.

~~a. a.~~ The purpose of this subsection is to prevent ~~the~~ demolition by neglect through permanent damage by weather or vandalism ~~of~~to any historic ~~structure~~resource, as defined in this article.

~~b. b.~~ The owner of any historic ~~structure~~resource, as defined by this article, shall maintain the ~~building or structure~~resource in good repair at all times; that is, structurally sound and protected against decay and deterioration in compliance with this section and the provisions of the Virginia Uniform Statewide Building Code, as adopted by the town under Chapter 14 of the Town Code, to the extent that, in the opinion of the zoning administrator, such decay or deterioration may result in irreparable ~~deterioration of~~damage to any exterior architectural ~~or~~ character defining feature or produce a detrimental effect upon the ~~structure~~historic resource or upon the character of the ~~district~~Historic Corridor and Overlay Zone, including, but not limited to:

~~(1) i.~~ The deterioration of interior and exterior walls or other vertical supports;
~~or~~

~~(2) ii.~~ The deterioration of roofs ~~or~~, joists, girders, rafters, and other horizontal members;
~~or~~

~~(3) iii.~~ The deterioration of exterior chimneys and all foundations;
~~or~~

~~(4) iv.~~ The deterioration or crumbling of exterior ~~plaster or~~cladding or material found on the resource such as but not limited to: exterior plaster, stucco, stone, brick, concrete, mortar and wood;

v. Broken or ~~(5) — The~~ ineffective on-site drainage systems, roof gutters, waterproofing of exterior walls, windows, doors, roofs ~~and~~, basements, foundations, ~~including broken windows and doors; or~~and all building joints and openings;

~~(6) vi.~~ The peeling of paint, ~~rotting~~rot, holes, lichen, rust, spalling, deteriorated building hardware and other forms of decay, including reasonable protection from overgrown plants, tree roots, dangerous tree limbs, insects and animal damage;
~~or~~

- ~~(7)~~ vii. The lack of maintenance ~~of to~~ surrounding structures and objects, such as fences, walls, gates, sidewalks, steps, signs, lighting fixtures or other accessory structures and objects; ~~or~~
- viii. The lack of maintenance to all on-site electrical, plumbing and mechanical systems; and
- ~~(8)~~ ix. The deterioration of any feature so as to create or permit the creation of any hazardous condition, or threaten the public health, safety and welfare.

~~e.~~ c. The zoning administrator shall have concurrent jurisdiction with the county building official to enforce the requirements of this section.

~~d.~~ d. Upon a finding by the zoning administrator that a historic ~~structure~~ resource is not in good repair and protected against damage, decay ~~and or~~ deterioration, the zoning administrator shall inform the owners of the property in writing, by certified mail, return receipt requested, of the specific deficiencies requiring remediation and shall order such owners to repair or secure such ~~building or structure~~ historic resource.

~~e.~~ e. If the owners or lien holder of the property cited and notified under ~~subsection (d)~~ subparagraph "b" above have not completed the prescribed repairs or other approved remedial measures within 90 days of the date of the notification prescribed in ~~subsection (d)~~ subparagraph "b" above, then the zoning administrator shall notify the owners or lien holder in writing, by certified mail, return receipt requested, that they are in violation of the zoning ordinance, and enforcement shall be pursued by the administrator in accordance with ~~article 11~~ Article 11.

Section 3. - Permitted uses.

3.1 By right.

The following uses shall be permitted by right in ~~any HC overlay district~~ the Historic Corridor and Overlay Zone:

- a. All uses permitted by right in the underlying ~~districts~~ zoning classifications except as herein otherwise provided.

3.2 By special use permit.

The following uses are authorized within the ~~historic corridor overlay district~~ Historic Corridor and Overlay Zone only by special use permit:

- 1 a. All uses authorized by special use permit in the underlying ~~districts~~zoning
2 classifications.

3
4 **Section 4.— Area and bulk regulations; minimum yard and setback requirements; height**
5 **requirements; landscaping and screening; preservation of natural features.**
6

7 4.1 Area and bulk regulations, minimum yard and setback requirements, and height
8 regulations shall be as provided by the underlying ~~district~~zoning classifications, except
9 that the following provisions and limitations shall apply to any development or portion
10 thereof within the ~~district~~zone which shall be visible from a designated ~~HC~~Historic
11 Corridor and Overlay Zone street.

12
13 4.2 Regulations of ~~article 7~~Article 7, landscaping, screening and open space regulations, shall
14 apply ~~within any HC overlay district~~to all areas of the Historic Corridor and Overlay Zone
15 except that:

16
17 ~~a. a.~~ In addition to the provisions of ~~article 7~~Article 7, the ~~board of architectural~~
18 ~~review~~Board of Architectural Review may require specific landscaping measures in
19 issuance of a ~~certificate of appropriateness~~Certificate of Design Approval, as the
20 same may be related to ensuring that the proposed development is consistent with any
21 design guidelines adopted by the town council for ~~the a~~ specific ~~HC~~ street ~~in the~~
22 Historic Corridor and Overlay Zone. Existing landscaping, tree cover and other significant
23 natural features shall be preserved to the greatest extent possible.

24
25 ~~b. b.~~ No grading or other earth disturbing activity (including trenching or tunneling), except as
26 necessary for the construction of tree wells or tree walls, shall occur within the drip line
27 of any trees or wooded areas nor intrude upon any other existing features designated in
28 the certificate of design approval for preservation.

29
30 ~~c. c.~~ Areas designated on approved plans for preservation of existing features shall be clearly
31 and visibly delineated on the site prior to commencement of any grading or other
32 earth-disturbing activity (including trenching or tunneling) and no such disturbing activity
33 or grading or movement of heavy equipment shall occur within such area. The visible
34 delineation of all such existing features shall be maintained until the completion of
35 development of the site. In addition, an applicant for development subject to the
36 provisions of this article, shall sign a conservation checklist approved by the zoning
37 administrator to further ensure that the specified existing features will be protected
38 during development. Except as otherwise expressly approved by the agent in a particular
39 case, such checklist shall conform to specifications contained in the Virginia Erosion and
40 Sediment Control Handbook, pp III-284 through III-297.
41

1 **Section 5. - Nonconformities.**

2 5.1 Any lawfully created existing use, activity, lot ~~or, building,~~ structure, ~~or object that is~~ subject
3 to the provisions of the ~~HC overlay district, which~~ Historic Corridor and Overlay Zone and
4 does not conform to the provisions of the ~~HC overlay district~~ Historic Corridor and Overlay
5 Zone, shall be subject to ~~article 5~~ Article 5, Nonconformities, of this ordinance.

6
7 5.2 *Repair and maintenance of* ~~nonconforming~~ non-conforming buildings,
8 ~~structures: and objects.~~ An owner may repair and maintain (i) a nonconforming
9 ~~structure or a structure occupied or used by a nonconforming use~~ building,
10 structure, or object, or (ii) a non-conforming use within a building or structure, upon a
11 determination by the zoning administrator that such repair or maintenance would not
12 be contrary to the purpose and intent of ~~this article 14A~~ Article 14A. If a
13 non-conforming building, structure, or object is a historic resource, it shall be subject to
14 all applicable provisions of this article.

15
16 **Section 6. - Administration.**

17 Article 14A, Historic Corridor and Overlay ~~District~~ Zone, shall be administered by the
18 ~~board of architectural review~~ Board of Architectural Review created and appointed by the
19 Purcellville ~~Town Council~~ town council pursuant to Chapter 54, Article II of the Town Code. The
20 ~~board of architectural review~~ Board of Architectural Review shall be responsible for issuance of
21 certificates of design approval as required by ~~this article 14A~~ Article 14A.

22
23 Application for a certificate of design approval together with a fee as adopted by the town
24 council shall be filed by the owner or contract purchaser of the subject property with the zoning
25 administrator. Materials submitted with the application shall include all plans, maps, studies and
26 reports which may be reasonably required to make the determinations called for in the particular
27 case, with sufficient copies for necessary referrals and records. Complete applications with the
28 required fee must be received by the zoning administrator at least 14 calendar days prior to the
29 board meeting at which consideration is desired.

30
31 Upon receipt of a complete application, the zoning administrator shall schedule the same for
32 hearing and shall cause notice of such hearing to be sent to the ~~board of architectural~~
33 ~~review~~ Board of Architectural Review. The board shall confer with the applicant at the hearing and
34 shall approve or disapprove such application and, if approved, shall issue a certificate of design
35 approval, with or without conditions together with such modifications as deemed necessary to
36 ensure compliance with this article. Failure of the ~~board of architectural review~~ Board of
37 Architectural Review to approve or disapprove such application within 60 days from the date of
38 complete application shall be deemed to constitute approval of the application.

Nothing contained in ~~article 14A~~Article 14A, Historic Corridor ~~and~~ Overlay ~~District~~HCZone, shall be deemed to compromise, limit, or otherwise impair the planning commission in its exercise of preliminary or final site plan review as authorized in this ordinance and the Purcellville Land Development and Subdivision Control Ordinance. It is the express intent of the town council that matters related to public health and safety as may be defined by the commission shall prevail over issues of aesthetics as may be defined by the ~~board of architectural review~~Board of Architectural Review. Therefore, the commission in its review of any preliminary or final site plan may modify, vary or waive any requirement of the certificate of design approval related to site plan concerns, such as landscaping, issued by the ~~board of architectural review~~Board of Architectural Review upon finding that such action would better serve the public health or safety.

Section 7. - Appeals.

The town council reserves unto itself the right to review all decisions of the ~~board of architectural review~~Board of Architectural Review made in the administration of ~~article 14A~~Article 14A which, in its discretion, it shall deem necessary to the proper administration hereof.

Any person aggrieved by any decision of the ~~board of architectural review~~Board of Architectural Review in the administration of this article may demand a review of the application by the town council. Such demand shall be made by filing a request therefore in writing with the zoning administrator with the appropriate fee within ten calendar days of the date of such decision. The town council may affirm, reverse or modify, in whole or in part, the decision of the ~~board of architectural review~~Board of Architectural Review. When considering an appeal pertaining to a public safety facility, the council may issue a ~~certificate of design approval~~Certificate of Design Approval if it finds that the facility is a public necessity. In considering an appeal, the town council shall give due consideration to the recommendations of the ~~board of architectural review~~Board of Architectural Review together with such other evidence as it deems necessary for a proper review of the application.

Any person or persons jointly or severally aggrieved by any decision of the town council may appeal such decision to the Loudoun County Circuit Court for review by filing a petition at law, setting forth the alleged illegality of the action of the town council, provided such petition is filed within 30 days after the final decision is rendered by the town council. The filing of said petition shall stay the decision of the town council pending the outcome of the appeal to the court.

For the purposes of this section, the term "person aggrieved" shall be limited to the applicant, the ~~board of architectural review~~Board of Architectural Review or any member thereof, the planning commission or any member thereof, the zoning administrator, the town manager, the town council or any member thereof, and any resident of the town.

Section 8. - Design criteria.

8.1 The ~~board~~Board of Architectural Review and, on appeal, the town council, shall use the following standards and criteria ~~in for~~ considering applications ~~other than demolitions~~ filed under this article:

- (4) ~~a.~~ Whether or not the proposed architectural design is suitable for Purcellville's historic small town character in terms of external architectural features, including signs subject to public view, general design and arrangement, texture, color, line, mass, dimension, material and lighting.
- (2) ~~b.~~ Whether or not the proposed structure, building or improvement is compatible with existing well-designed structures, acceptable to the board, in the vicinity and in the town as a whole.
- (3) ~~c.~~ Whether or not, and to what extent, the proposed structure, building or improvement would promote the general welfare and protect the public health, safety and ~~morals~~ welfare by tending to maintain or augment the town's tax base as a whole, generating business activity, maintaining and creating employment opportunity, preserving historical ~~sites and structures~~ resources and making the town a more attractive and desirable place in which to live.
- (4) ~~d.~~ Whether or not proposed buildings or structures use the same or architecturally harmonious materials, color, texture and treatment for all exterior ~~walls~~ components;
- (5) ~~e.~~ Whether or not the combination of architectural elements proposed for a structure, building or improvement, in terms of design, line, massing, scale, proportion, dimension, color, material, texture, lighting, landscaping and roofline and height conform to accepted architectural principles for permanent buildings as contrasted with engineering standards designed to satisfy safety requirements only; and exhibit external characteristics of demonstrated architecture and aesthetic durability and quality.
- f. (6) Whether or not, in terms of design, material, texture, color, lighting, landscaping, dimension, line, massing, scale, proportion, roof line and height, the proposed structure, building or improvement is designed to serve primarily as an advertisement or commercial display, exhibits exterior characteristics likely to deteriorate rapidly, would be of temporary or short- term architectural or aesthetic acceptability, would be plainly offensive to human sensibilities or would otherwise constitute a reasonable foreseeable detriment to the community.

8.2. Optional Criteria for Evaluating Additions, Modifications and Repairs to Historic Resources

- a. Any property owner, at their sole discretion, may voluntarily elect, in writing, to have the Board of Architectural Review and the town council, on appeal, use the following criteria exclusively for evaluating their application filed under this article when it involves alterations to a historic resource under their ownership in lieu of using the design criteria contained in Section 8.1.
- i. Historic resources located in the Historic Corridor and Overlay Zone may be evaluated for consistency with the most current edition of the "U.S. Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings."

1 8.3 Additional Design Guidelines

2
3 The town council at its discretion and upon recommendation of the board may adopt
4 additional design guidelines for use by the ~~board~~Board of Architectural Review in the review
5 of applications under this article. Such additional guidelines shall not be adopted unless and
6 until the town clerk has caused notice of same to be published at least once in a newspaper of
7 general circulation within the county, at least seven days before the council meeting at which
8 such proposed adoption is scheduled.

9
10 8.4 No Specific Architectural Style to be Required

11
12 ~~8.2. No specific architectural style to be required.~~

13 The ~~board of architectural review~~Board of Architectural Review and the town council on
14 appeal shall not adopt or impose any specific architectural style in the administration of this
15 article.

16
17 ~~8.3 Demolition permit criteria:~~

18 ~~In reviewing demolition applications, the board of architectural review shall~~
19 ~~consider the following:~~

- 20
21 ~~(1) The designation of the particular structure as historic or non-historic by a~~
22 ~~qualified historic preservation professional or by a government-recognized~~
23 ~~historic survey;~~
24 ~~(2) The context of the structure in relation to surrounding buildings and~~
25 ~~landscape on the site and adjacent and nearby sites; and~~
26 ~~(3) The appropriateness, as determined through application of applicable~~
27 ~~design criteria and guidelines, of proposed structures, which will replace~~
28 ~~the demolished structure, if any.~~

29
30 **Section 9. - Deviations from approved plans.**

31 Any person who once having obtained the approval required by this article deviates
32 substantially from the approved plan shall be subject to the violations and penalties
33 specified in ~~article 11~~Article 11, section 19 of this ordinance.

