

**PUBLIC HEARING NOTICE OF THE  
TOWN OF PURCELLVILLE PLANNING COMMISSION CONCERNING  
ZONING CODE TEXT AMENDMENT 2021-05**

The **Planning Commission** of the Town of Purcellville will conduct a public hearing on **THURSDAY, JULY 15, 2021, at 7:00 PM** for the purpose of receiving comments on, considering, and possibly voting on an amendment to the Purcellville Zoning Ordinance, to include the Official Zoning Map, which would:

1. Rename the Town’s existing zoning overlay district, currently known as the Historic Corridor Overlay District (“HCOD”), to the “*Historic Corridor and Overlay Zone*” (“HCOZ”); and
  
2. Expand the boundaries of the Town’s existing Historic Corridor Overlay District (“HCOD”) to include approximately 300 additional properties that are currently located outside the HCOD but have been determined by the Virginia Department of Historic Resources to contain one or more structures or resources that contribute to the historic significance of the Town of Purcellville. The properties to be added are listed by parcel identification number at the bottom of this public hearing notice, and are also shown on the map accompanying this notice, entitled, “*Proposed Historic Corridor and Overlay Zone;*” and
  
3. Amend the regulations applicable to all properties located within the HCOD / HCOZ, which regulations are contained in Article 14A of the Purcellville Zoning Ordinance, by deleting the strikethrough text and adding the underlined text as shown in this public hearing notice, below:

***INSERT PDF OF ORDINANCE TEXT CHANGES HERE***

**The following properties/lots are proposed to be ADDED TO THE HCOD/HCOZ and would be subject to be the regulations, as amended, contained in Article 14A of the Purcellville Zoning Ordinance.**

Parcel ID	Street No	Street Name
488201513000	400	11th Street South
488201480000	410	11th Street South
488201506000	410	11th Street South
488298807000	411	11th Street South
488101490000	420	11th Street South
488101474000	430	11th Street South
488103674000	440	11th Street South
488198767000	511	11th Street South
488199254000	521	11th Street South
488101350000	530	11th Street South

Parcel ID	Street No	Street Name
488366759000	120	Hall Road North
488365567000	121	Hall Road North
488366870000	130	Hall Road North
488382450000	120	Hatcher Avenue North
488380249000	121	Hatcher Avenue North
488382158000	130	Hatcher Avenue North
488380257000	131	Hatcher Avenue North
488382366000	140	Hatcher Avenue North
488380263000	141	Hatcher Avenue North
488382374000	150	Hatcher Avenue North

488396003000	110	12th Street South
488296096000	120	12th Street South
488294097000	121	12th Street South
488296589000	130	12th Street South
488294091000	131	12th Street South
488296484000	140	12th Street South
488293982000	141	12th Street South
488295675000	150	12th Street South
488293473000	151	12th Street South
488296850000	220	12th Street South
488293456000	221	12th Street South
488295556000	222	12th Street South
488293342000	301	12th Street South
488297007000	310	12th Street South
488296331000	320	12th Street South
488293332000	321	12th Street South
488296324000	330	12th Street South
488293323000	331	12th Street South
488296208000	350	12th Street South
488196296000	410	12th Street South
488196289000	420	12th Street South
488193893000	441	12th Street South
488292407000	441	12th Street South
488385457000	110	18th Street North
488383759000	111	18th Street North
488385564000	120	18th Street North
488385573000	130	18th Street North
488383870000	131	18th Street North
488383979000	141	18th Street North
488383986000	151	18th Street North
488378701000	130	20th Street South
488279690000	140	20th Street South
488279695000	140	20th Street South
488279383000	150	20th Street South
488277684000	151	20th Street South
488279979000	200	20th Street South
488277873000	201	20th Street South
488278461000	211	20th Street South
488280455000	220	20th Street South
488277258000	221	20th Street South
488280544000	300	20th Street South
488278250000	301	20th Street South
488278340000	301	20th Street South
488280630000	310	20th Street South

488380172000	151	Hatcher Avenue North
488381880000	160	Hatcher Avenue North
488379880000	161	Hatcher Avenue North
488477532000	260	Hatcher Avenue North
488267830000	230	J Street West
488266042000	241	J Street West
488266242000	241	J Street West
488266245000	241	J Street West
488266247000	241	J Street West
488266855000	241	J Street West
488266857000	241	J Street West
488266860000	241	J Street West
488266250000	245	J Street West
488264240000	301	J Street West
488264643000	311	J Street West
488263548000	321	J Street West
488258827000	410	J Street West
488257727000	420	J Street West
488256426000	500	J Street West
488272691000	171	K Street West
488273086000	171	K Street West
488273180000	171	K Street West
488270968000	200	K Street West
488270984000	201	K Street West
488270289000	211	K Street West
488269389000	221	K Street West
488268689000	231	K Street West
488264064000	300	K Street West
488264066000	300	K Street West
488264069000	300	K Street West
488264161000	300	K Street West
488257462000	420	K Street West
489474306000	200	Locust Grove Drive
488377002000	100	Main Street East
488282086000	148	Main Street East
488301053000	613	Main Street East
488207764000	200	Maple Avenue South
488207856000	210	Maple Avenue South
488207949000	210	Maple Avenue South
488207951000	210	Maple Avenue South
488204743000	221	Maple Avenue South
488208145000	300	Maple Avenue South
488208236000	300	Maple Avenue South
488208240000	300	Maple Avenue South

488280617000	320	20th Street South
488280710000	330	20th Street South
488280703000	340	20th Street South
488179038000	501	20th Street South
488179042000	501	20th Street South
489482494000	630	20th Street South
489483383000	630	20th Street South
489484785000	630	20th Street South
489484455000	730	20th Street South
489483845000	750	20th Street South
489483435000	760	20th Street South
489384860000	17760	20th Street South
489384947000	17760	20th Street South
488264597000	121	26th Street South
488264588000	131	26th Street South
488264159000	213	26th Street South
488264318000	321	26th Street South
488264413000	321	26th Street South
488264416000	321	26th Street South
488360854000	200	28th Street North
488357019000	100	29th Street South
488357007000	110	29th Street South
488257697000	120	29th Street South
488255295000	121	29th Street South
488255895000	121	29th Street South
488257692000	126	29th Street South
488255884000	131	29th Street South
488257375000	140	29th Street South
488255771000	141	29th Street South
488255776000	141	29th Street South
488255657000	201	29th Street South
488257549000	210	29th Street South
488257554000	210	29th Street South
488353970000	110	31st Street North
488352465000	111	31st Street North
488353977000	120	31st Street North
488352678000	121	31st Street North
488354187000	200	31st Street North
488352689000	211	31st Street North
488354195000	220	31st Street North
523396882000	101	33rd Street North
523397097000	201	33rd Street North
488209287000	121	9th Street South
453251215000	321	9th Street South

488209555000	300	Maple Avenue South
488209645000	300	Maple Avenue South
488204228000	311	Maple Avenue South
488208027000	320	Maple Avenue South
488208226000	320	Maple Avenue South
488208228000	320	Maple Avenue South
488205124000	321	Maple Avenue South
488208518000	400	Maple Avenue South
488208616000	400	Maple Avenue South
488203308000	401	Maple Avenue South
488205410000	401	Maple Avenue South
488208614000	410	Maple Avenue South
488208711000	410	Maple Avenue South
488103594000	415	Maple Avenue South
488105699000	415	Maple Avenue South
488208902000	420	Maple Avenue South
488108789000	430	Maple Avenue South
488108791000	430	Maple Avenue South
488106090000	431	Maple Avenue South
488108957000	440	Maple Avenue South
488109388000	440	Maple Avenue South
488109181000	450	Maple Avenue South
488106180000	451	Maple Avenue South
488109175000	460	Maple Avenue South
488109176000	460	Maple Avenue South
488106244000	461	Maple Avenue South
488106339000	461	Maple Avenue South
488106964000	501	Maple Avenue South
488107456000	511	Maple Avenue South
453150738000	600	Maple Avenue South
488355673000	510	N Street West
488355890000	511	N Street West
488354974000	520	N Street West
488355091000	521	N Street West
488167099000	341	Nursery Ave South
488167297000	341	Nursery Ave South
488167799000	341	Nursery Ave South
488267001000	341	Nursery Ave South
488376110000	121	Nursery Avenue South
488375704000	131	Nursery Avenue South
488276081000	140	Nursery Avenue South
488274289000	141	Nursery Avenue South
488275672000	200	Nursery Avenue South
488272772000	201	Nursery Avenue South

453251217000	321	9th Street South
453251307000	321	9th Street South
453152661000	510	9th Street South
489399057002	37489	E A Street
488187368000	311	E Street East
488187969000	311	E Street East
488174543000	160	F Street West
488173541000	170	F Street West
488376792000	171	F Street West
488172841000	180	F Street West
488172861000	181	F Street West
488172140000	190	F Street West
488172161000	191	F Street West
488171560000	195	F Street West
488171239000	200	F Street West
488170959000	201	F Street West
488170538000	210	F Street West
488170359000	211	F Street West
488169938000	220	F Street West
488169859000	221	F Street West
488169338000	230	F Street West
488169159000	231	F Street West
488168642000	240	F Street West
488168558000	241	F Street West
488168042000	250	F Street West
488167854000	251	F Street West
488167341000	260	F Street West
488181372000	100	G Street East
488182075000	100	G Street East
488183480000	110	G Street East
488185677000	200	G Street East
488282972000	201	G Street East
488283712000	211	G Street East
488186187000	220	G Street East
488284815000	221	G Street East
488187085000	300	G Street East
488188087000	310	G Street East
488189288000	320	G Street East
488286219000	321	G Street East
488190189000	330	G Street East
488287322000	331	G Street East
488288609000	341	G Street East
488191692000	410	G Street East
488192787000	430	G Street East

488275563000	210	Nursery Avenue South
488272566000	211	Nursery Avenue South
488275053000	220	Nursery Avenue South
488272159000	221	Nursery Avenue South
488275623000	250	Nursery Avenue South
488270723000	311	Nursery Avenue South
488168881000	340	Nursery Avenue South
488167193000	341	Nursery Avenue South
488167470000	360	Nursery Avenue South
488166961000	370	Nursery Avenue South
488166451000	380	Nursery Avenue South
488166141000	400	Nursery Avenue South
488166830000	410	Nursery Avenue South
488375982000	100	O Street East
488369279000	216	O Street West
488368679000	220	O Street West
488367880000	230	O Street West
488262097000	130	Orchard Drive South
488362002000	130	Orchard Drive South
488259798000	131	Orchard Drive South
488261679000	150	Orchard Drive South
488259975000	151	Orchard Drive South
488262261000	200	Orchard Drive South
488259763000	201	Orchard Drive South
488262258000	210	Orchard Drive South
488262350000	210	Orchard Drive South
488262352000	210	Orchard Drive South
488262355000	210	Orchard Drive South
488259953000	211	Orchard Drive South
488262347000	230	Orchard Drive South
488263513000	300	Orchard Drive South
488260230000	301	Orchard Drive South
488262520000	310	Orchard Drive South
488262522000	310	Orchard Drive South
488262525000	310	Orchard Drive South
488262512000	320	Orchard Drive South
488262515000	320	Orchard Drive South
488262517000	320	Orchard Drive South
488262510000	330	Orchard Drive South
488262605000	330	Orchard Drive South
488262607000	330	Orchard Drive South
488259904000	331	Orchard Drive South
488162697000	340	Orchard Drive South
488162692000	350	Orchard Drive South

488193180000	440	G Street East	488159583000	351	Orchard Drive South
488193474000	450	G Street East	488161071000	361	Orchard Drive South
488196469000	501	G Street East	488161136000	501	Orchard Drive South
488198886000	501	G Street East	488165996000	211	School Street West
488198941000	551	G Street East	488164592000	301	School Street West
488104853000	641	G Street East	488163756000	320	School Street West
488106650000	661	G Street East	488109396000	430	South Maple Avenue
			489487172000	200	Willie Palmer Way East

A full and complete copy of the proposed amendments to the Purcellville Zoning Map and Purcellville Zoning Ordinance Article 14A, including an enlarged map of the proposed expansion to the existing HCOD/HCOZ, is available for review on the town's website at <https://purcellvilleva.gov/ArchiveCenter/ViewFile/Item/5772>, and also in-person at the office of the Town Clerk, or at the office of the Planning Department, both located within the Purcellville Town Hall, 221 S. Nursery Avenue, Purcellville, Virginia from 9:00 AM to 4:00 PM, Monday through Friday, holidays excepted. For questions, please call (540) 338-7421.

At this public hearing, all persons desiring to present their views concerning this matter will be heard. Hearing assistance is available for meetings in the Town Council Chambers. If you require any type of reasonable accommodation to participate in this meeting as a result of a physical, sensory or mental disability, contact the Town Clerk at 540-751-2334; please provide notice of the accommodation at least three days in advance of the meeting.

### **GoToMeeting**

If you have already installed the GoToMeeting app and wish to comment during the hearing but cannot attend in person, please join the Public Hearing remotely by going to the following:

### **Planning Commission Meeting**

Thu, Jul 15, 2021 7:00 PM - 10:00 PM (EDT)

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### **Email**

In addition, all persons have the option of sending an email to the Town Clerk, Diana Hays, at [dhays@purcellvilleva.gov](mailto:dhays@purcellvilleva.gov), with written comments or questions concerning the proposed project. Emails may be sent by 6:00 PM the day of the Public Hearing. The Town Clerk, or another employee or officer of the Town, will read those emails into the public record before the Planning Commission Public Hearing on the project is closed.

Nedim Ogelman, Chair  
Purcellville Planning Commission

Publication Dates: 7/2/2021 & 7/9/2021

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

ARTICLE 14A. ~~—~~ HISTORIC CORRIDOR AND OVERLAY ~~DISTRICT~~ HGZONE

**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.~~<sup>1</sup>

~~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~~

<sup>1</sup> 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 HG 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 HG 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 (23<sup>rd</sup> and 21<sup>st</sup> ~~Street~~)-Streets)  
28 d. ~~4-~~ Route 690 South (32<sup>nd</sup> Street)-  
29 e. ~~5-~~ Route 1604 (21<sup>st</sup> Street between Main and 23<sup>rd</sup> 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.

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

3  
4 a. Lots within the Historic Corridor and Overlay Zone that do not contain a  
5 historic resource on them, unless they are subject to the provisions of  
6 Section 2.1(a) of this ordinance.

7  
8 ~~(1) Construction or alteration of~~ For historic and non-historic resources, construction  
9 or alterations to main and accessory buildings or structures in single-family detached  
10 residential use or in an agricultural and forestal district where no site plan is required  
11 for the work. Demolition or removal of a historic structures resource from a lot is NOT  
12 exempted by this section, including demolition by neglect.

13  
14 ~~b. (2)~~ Interior alterations to any building or structure having no effect on its  
15 exterior appearance ~~of the building or structure.~~

16  
17 ~~c. (3)~~ Construction of ramps and other modifications to serve the  
18 handicapped disabled.

19  
20 ~~d. (4)~~ The repair and/or maintenance of non-conforming buildings, structures,  
21 and objects authorized pursuant to ~~section 5.2~~ Section 5.2 of this article.

22  
23 ~~e. (5)~~ General maintenance where no change in design or material is  
24 proposed interior or exterior maintenance to any building or structure.  
25 Re-painting, foundation repair, or re-roofing a building or structure shall not  
26 be considered an exterior change.

27  
28 ~~f. (6)~~ Additions or modifications to any building or structure where no change  
29 in design or material is proposed as determined by the zoning administrator.

30  
31 ~~g. (7)~~ Signs New signs, fences, walls, and light poles.

32  
33 2.6 A certificate of design approval is required ~~for the following~~ as follows in the  
34 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~~

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

9 ~~e.~~ c. The zoning administrator shall have concurrent jurisdiction with the county  
10 building official to enforce the requirements of this section.  
11

12 ~~d.~~ d. Upon a finding by the zoning administrator that a historic ~~structure~~ resource is  
13 not in good repair and protected against damage, decay ~~and or~~ deterioration, the  
14 zoning administrator shall inform the owners of the property in writing, by  
15 certified mail, return receipt requested, of the specific deficiencies requiring  
16 remediation and shall order such owners to repair or secure such ~~building or~~  
17 ~~structure~~ historic resource.  
18

19 ~~e.~~ e. If the owners or lien holder of the property cited and notified under  
20 ~~subsection (d)~~ subparagraph "b" above have not completed the prescribed  
21 repairs or other approved remedial measures within 90 days of the date of the  
22 notification prescribed in ~~subsection (d)~~ subparagraph "b" above, then the  
23 zoning administrator shall notify the owners or lien holder in writing, by certified  
24 mail, return receipt requested, that they are in violation of the zoning ordinance,  
25 and enforcement shall be pursued by the administrator in accordance with  
26 ~~article 11~~ Article 11.  
27

### 28 **Section 3. - Permitted uses.**

#### 29 *3.1 By right.*

30 The following uses shall be permitted by right in ~~any HC overlay district~~ the Historic Corridor  
31 and Overlay Zone:  
32

- 33 a. All uses permitted by right in the underlying ~~districts~~ zoning classifications except as  
34 herein otherwise provided.  
35

#### 36 *3.2 By special use permit.*

37 The following uses are authorized within the ~~historic corridor overlay district~~ Historic Corridor  
38 and Overlay Zone only by special use permit:  
39

- 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.

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.

39



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

### 11 **Section 7. - Appeals.**

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

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

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

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

### 35 **Section 8. - Design criteria.**

36 8.1 The ~~board~~Board of Architectural Review and, on appeal, the town council, shall use the  
37 following standards and criteria ~~in~~for considering applications ~~other than demolitions~~ filed under  
38 this article:  
39  
40  
41  
42  
43

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

## 30 8.2. Optional Criteria for Evaluating Additions, Modifications and Repairs to Historic Resources

31 a. Any property owner, at their sole discretion, may voluntarily elect, in writing, to have the  
32 Board of Architectural Review and the town council, on appeal, use the following criteria  
33 exclusively for evaluating their application filed under this article when it involves  
34 alterations to a historic resource under their ownership in lieu of using the design criteria  
35 contained in Section 8.1.

36 i. Historic resources located in the Historic Corridor and Overlay Zone may be  
37 evaluated for consistency with the most current edition of the "U.S. Secretary of  
38 the Interior's Standards for the Treatment of Historic Properties with Guidelines for  
39 Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings."  
40  
41  
42

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:~~

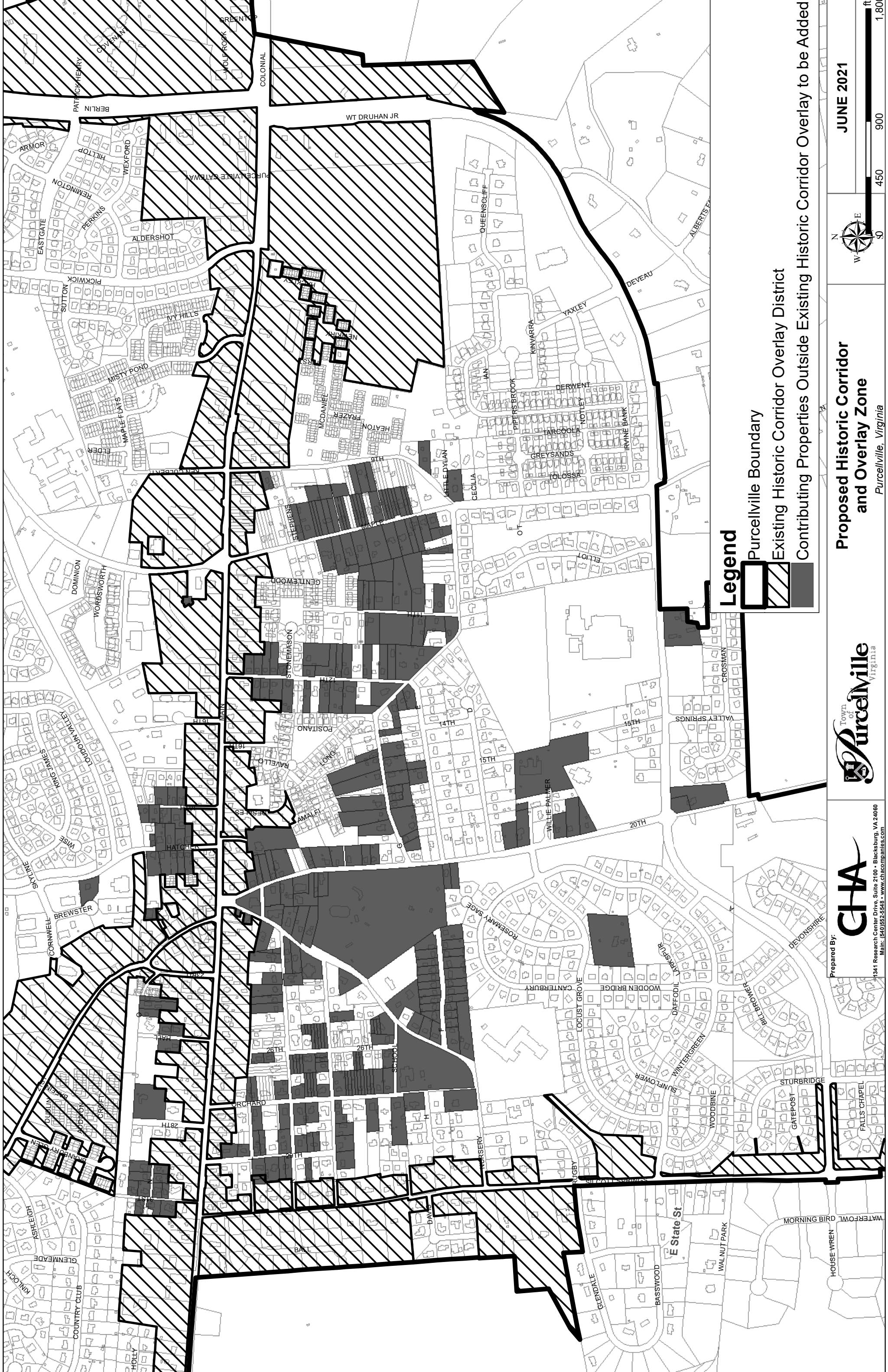
18 ~~In reviewing demolition applications, the board of architectural review shall~~  
19 ~~consider the following:~~

- 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.

34  
35



**Legend**

-  Purcellville Boundary
-  Existing Historic Corridor Overlay District
-  Contributing Properties Outside Existing Historic Corridor Overlay to be Added