



STAFF REPORT
INFORMATION/DISCUSSION ITEM

Item # 8.b.

SUBJECT: Planning Commission preferences for scheduling joint PC-TC public hearing on amendments to Zoning Ordinance Article 4, Section 9.8 "Height Standards" and Article 14A, Historic Overlay Districts

DATE OF MEETING: January 7, 2021

STAFF CONTACT(S):

ATTACHMENTS:

Resolution 20-12-01

**TOWN OF PURCELLVILLE
IN
LOUDOUN COUNTY, VIRGINIA**

RESOLUTION NO. 20-12-01

**PRESENTED:
ADOPTED:**

JANUARY __, 2021

A PLANNING COMMISSION RESOLUTION

INITIATING AMENDMENTS TO THE PURCELLVILLE ZONING ORDINANCE ARTICLE 4 (“DISTRICT REGULATIONS”), SECTION 9 (“C-4 CENTRAL COMMERCIAL DISTRICT”), SUBSECTION 9.8 (“HEIGHT STANDARDS”), TO REDUCE THE MAXIMUM BY-RIGHT BUILDING HEIGHTS IN THE C-4 ZONING DISTRICT, TO ALLOW BUILDINGS EXCEEDING THOSE HEIGHTS BY SPECIAL USE PERMIT OR SPECIAL EXCEPTION GRANTED BY THE TOWN COUNCIL, AND TO CONSIDER THE NEED FOR SPECIAL HEIGHT REGULATIONS FOR CERTAIN ARCHITECTURAL BUILDING FEATURES, FLAG POLES, AND TELEVISION ANTENNAS

WHEREAS, on June 30, 2020 the Town Council adopted *Plan Purcellville, the 2030 Comprehensive Plan* (“Comprehensive Plan”); and

WHEREAS, the Comprehensive Plan states that the charming small town character of Purcellville is a major part of its identity and should be maintained as the Town evolves; and

WHEREAS, the Comprehensive Plan, expressing the will of the Town’s citizens, provides (a) that the Town should preserve it’s unique historical and architectural character, (b) that the size and scale of development should remain consistent with its existing small, compact, and walkable scale, and (c) that the Town should promote tourism and visitor opportunities through preservation of the Town’s historic buildings, architectural style, and small-town character; and

WHEREAS, the Town’s small-town character and architectural style is comprised overwhelmingly of one- and two-story buildings, including in the C-4 zoning district; and

WHEREAS, the Planning Commission finds that the existing maximum building heights in the C-4 zoning district do not comport with the goals of preserving the Town’s small-town character and architectural style, as described in the Comprehensive Plan; and

WHEREAS, the Planning Commission finds that the public necessity, convenience, general welfare, and good zoning practice require amendment to the building height provisions governing the C-4 zoning district, as set forth in Article 4, Section 9.8 of the Zoning Ordinance, so that they align with, and execute the vision of, the Comprehensive Plan.

THEREFORE BE IT RESOLVED that the Planning Commission hereby initiates amendments to Article 4, Section 9.8 of the Zoning Ordinance, in order to:

1. Reduce the maximum building height allowed by-right from three stories and 45 feet, to two stories and 35 feet.

2. Allow the Town Council to grant additional height by special exception or special use permit, provided that the maximum height allowed by special exception or special use permit shall be no greater than three stories and 45 feet.
3. Set forth the factors to be considered by Town Council when considering applications for special use permit or special exception, including proximity to residential uses and districts.
4. Address any special height standards needed for publicly-owned buildings and places of worship, which may currently be erected to a maximum height of 60 feet so long as required front, side and rear yards are increased one foot for each foot in height over 50 feet.
5. Address any special height standards needed for certain building elements, including church spires, belfries, cupolas, monuments, water towers, chimneys, and flues, which are currently exempt from height regulations in the C-4 zoning district.
6. Address any special height standards needed for flag poles and television antennas in the C-4 zoning district, with flag poles currently allowed to be unlimited in height, and television antennas currently allowed to be erected up to 125 feet.
7. Address any special height standards needed for parapet walls, which may currently be installed up to four feet above the height of the building on which the walls rest.
8. Protect, to the extent possible, existing buildings that were constructed in excess of the proposed height limits from 'non-conforming' status.
9. Identify whether there exist iconic or monumental Buildings or Sites, and determine whether those buildings or sites should be governed by special height limits.
10. Review and amend, as needed, the method for measuring Height.

BE IT FURTHER RESOLVED that the Planning Commission hereby refers these proposed amendments to the Town Council for its concurrence, and requests that the Town Council direct Staff to prepare the draft Zoning Ordinance amendments described herein, together with Staff's findings and recommendations, for consideration by the Planning Commission and Town Council at an advertised joint public hearing to be held on either **Tuesday, January 12, 2021, or Tuesday, February 9, 2021.**

PASSED THIS 7th DAY OF JANUARY, 2021.

Nedim Ogelman, Planning Commission Chair
Town of Purcellville

**TOWN OF PURCELLVILLE
IN
LOUDOUN COUNTY, VIRGINIA**

ATTEST:

Diana Hays, Town Clerk

On page 1 of the Draft Revision of Article 14A item D, the Commission agreed to strike the following: “Maintain and improve property values by providing incentives” and begin the sentence with “Promote the upkeep. . .”

Part of the ordinance should include what part of the town government is responsible for determining the list of properties to submit to DHR for their inspection, and the definition of 50 years should be clear. The Commissioners discussed how the list would be update and the frequency of updates.

Sally Hankins is to research item E about having annual public hearings for the purpose of adding new historic properties to the district. Ms. Hankins talked about elaborating on the standards evaluated by the BAR for demolition. Chairman Ogelman stated he feels those are covered under 2.5 and 2.7. Sally Hankins suggested writing the criteria for the ordinance at another meeting and to ask the BAR for a recommendation. Commissioner Paciulli suggested adding “BAR” in front of “certificate of design approval. . .”.

Chairman Ogelman stated the first step is to determine what is already registered. Commission Forbes added a concern is whether or not a property falls into this now or will in the future, which will fall under the definition. Andy Conlon stated to add a property would require a rezoning to include notice and public hearing.

Sally Hankins requested time to review section 2.5.f. before agreeing to any proposed language and comparing it to existing language. Ms. Hankins asked for guidance from the Planning Commission on whether or not to increase regulations on single family homes. Chairman Ogelman stated he believes the intention has been to expand the district to incapsulate all of the structures but to not make any of the protections more onerous on the property owners, and they do apply to single family homes that are registered. Sally Hankins feels this does not apply to demolition and just to alterations. After discussion it was agreed to leave it as is. Sally Hankins agreed on leaving all of the language and suggested remapping include structures that have been determined to be contributing. She recommended that if the goal is to keep everything the same but to enable proposed review of demolitions the ordinance language would remain the same except an amendment to the map, and review the existing text for legal sufficiency and clarity and improve it if needed. Text would need amended to describe the map. Ms. Hankins agreed with naming it a “historic overlay district” and proposed the remapping without text changes would accomplish the goal of expanding the demolition authority. Discussion took place on registered structures, protection and terminology.

Additional discussion was tabled to allow for the details to be worked through.

b. Planning Commission Preferences for Scheduling Joint PC-TC Public Hearing on Amendments to Zoning Ordinance Article 4, Section 9.8 “Height Standards” and Article 14A, Historic Overlay District

Chairman Ogelman suggested discussing the need for joint versus separate public hearings. Sally Hankins noted that Council authorized staff to move forward with this item at their last meeting including proposed public hearing dates, and proposed two months out for a public

hearing in order to draft the language and place the ad. Ms. Hankins stated she could have the language for the Planning Commission's review at the February 4 meeting with the joint public hearing scheduled for March 9 on the ordinance. The Planning Commission agreed that public outreach on the amendments is important, and staff should move forward with outreach about the March 9 public hearing.

c. Review of Letter to Owners of Historic Properties Informing Them of Proposed Amendments to Zoning Ordinance Article 14A, Historic Overlay District

Ms. Hankins stated the letter would be based off of the approved ordinance and that it is premature to review the letter unless it is informative on the process and not legal. Commissioner Forbes suggested moving the bulleted items in the draft to the beginning of the letter, which states more of the purpose for the letter. Sally Hankins talked about the different items being discussed by the Commission and proposed a Historic Overlay District containing the items and added information about the Certified Local Government status as it would pertain to the district. The Commissioners agreed they would like to know the minimum criteria for inclusion in the Certified Local Government. Council member Milan stated he would forward the CLG application to the Commissioners for review. Sally Hankins stated she would prefer to rewrite the Historic Corridor Overlay District regulations then remap the district. If only demolition is to be addressed, remapping can be done and then the notice sent.

The Commissioners agreed to discuss this at the next meeting and determine what regulations would need changed in the district in order to achieve Certified Local Government status as well as knowing the pros and cons of becoming a CLG. Chairman Ogelman requested a staff report from Mr. Conlon at the next meeting. The letter has been placed on hold.

d. Review of Proposed Changes to Town Website Page Concerning Historical Overlay Districts

Commissioner Neham suggested tabling this item until the proposed amendments are complete. The Commissioners agreed.

e. Downtown South Focus Area Zoning Districts & Uses; Applying Form-Based Coding

Commissioner Neham stated the Commissioners were going to start working on approaching how to do the zoning ordinance for downtown south. Chairman Ogelman feels the two draft resolutions have started the process and he is reviewing the zoning ordinance and taking the papers prepared by the Commissioners and redlining the differences in an effort to support the work that Commission Milan was doing for downtown south and to support staff. Chairman Ogelman added this will show whether the Commissioners have the knowledge for this work or need assistance.