

## Sec. 18-236. Church Street Vision Incentive Overlay (CS-O).

FIGURE 2.16. Reference map of the Church Street Overlay.



### 1. CS-O Purpose.

- A. The purpose of the Church Street Vision Incentive Overlay (CS-O) is to legislatively recognize the distinctive character of the original old Vienna commercial district and to provide for the protection and preservation of the traditional image and history of that unique area as it presently exists and to encourage and enhance future development, utilizing that character and heritage as symbolized by excellence in design, architecture and that period development of the Town in early years while blending private with public development and maintenance of that valuable distinct character.
- B. In furtherance of the above purposes, the Town has expended substantial sums in capital improvement programs to enhance the utilities, landscaping, streetscaping, public ways and general municipal character of the district in harmony with that character and heritage.
- C. The Town acknowledges by legislative recognition that, because of the unique traditional nature of the particular district, accomplishment of the intended goals of this article may not always be achieved or be achievable within the strict requirements of this chapter.
- D. Strict application of the terms of this chapter in general could effectively prohibit achievement of those goals and prevent the most practical, efficient and aesthetic development of area sites in furtherance of the purposes of this article. Therefore, certain modifications, waivers and variations are required to accomplish the intended well-planned development necessary to achieve the desired character.

### 2. Declaration of intent.

- A. The Town Council has made the legislative determination that the preservation of the existing traditional period character of the zone and the encouragement of future development within the zone in keeping with those same high standards of that Vienna character and heritage is in the best interests

of the community, will promote long-term economic growth, encourage the optimum use of the real estate within the zone, attract new business, enhance the tax base of real estate and the taxable value of businesses within the area, encourage employment and commercial growth, and in general benefit the health, safety and welfare of the community as a whole.

- B. The Town Council declares further that it is in the best interests of the community and the owners of the property within the zone that the goals of this article are best achieved voluntarily through the cooperative efforts of property owners and the Town, and that the historic nature, unique character, and heritage of the area are best preserved without mandatory legislative imposition of historic preservation regulations or districting. Rather, the goals of this article will be best achieved through the prudent exercise of site plan powers enjoyed by the Town Council when the same are merged with the application of the incentive land use principles contemplated by incentive zoning as defined in Code of Virginia, § 15.2-2201, by the grant of bonuses in the form of selective site plan modifications by the Town to a developer or property owner in return for that developer or property owner providing within a development, construction or reconstruction, certain predefined design and plan features and amenities desired by the Town and legislatively adopted herein.

### 3. **Modification of General Regulations.**

- A. The provisions of § 18-225 shall not apply to development, construction, or reconstruction in the Church Street District (CS) when, as an incident to that development, construction or reconstruction, adopted building design features and site plan features are voluntarily proffered by the owner or developer, and accepted by the Town in return for the grant of bonus incentives by the Town to and acceptance by the developer or owner through site plan modifications in lieu of the provisions of § 18-225. Upon acceptance by the parties, such features and bonuses shall run with the land.
- B. In addition to modifications authorized in Article 8, the Town Council is authorized to grant as modifications to site plans in the CS-O overlay incentive bonuses as adopted in § 18-836.7 in return for the voluntary proffer and acceptance by an owner or developer of building design features and site plan features provided for in section 18-223 when the same are desired by and acceptable to the Town in furtherance of the purposes of this article.
- C. Modifications consisting solely of those design features, site features and incentive bonuses which have been previously legislated and incorporated by the council into § 18-236, shall not require recommendation of the planning commission prior to granting by the council.
- D. All modifications shall provide a landscape site plan and for the continual maintenance thereof.

### 4. **Building and plan design features.**

- A. In furtherance of the legislative intent of the Church Street Vision Incentive Overlay (CS-O) and to project continuity in harmony of character in the area, there are hereby adopted the following building design features and site plan features which are declared acceptable for use in development in the CS-O overlay in satisfaction of the provisions of § 18-236.
- B. These features were in their entirety approved by the Board of Architectural Review pursuant to the requirements of Chapter 4 prior to their adoption herein and any repeal or amendment of the same in this section must undergo prior review by the board pursuant to Chapter 4.
- C. The Zoning Administrator shall present all proposed amendments to this section to the Board of Architectural Review for the board's recommendation to the Town Council prior to presentation of the same to the Council. The Board of Architectural Review shall report its recommendations thereon to the Council within thirty (30) days of notification by the Zoning Administrator, and failure to report in such time shall constitute approval of the board.
- D. **Conceptual architectural renderings.**

- i. The renderings contained herein represent a conceptual illustration of the acceptable architecture design and development standards. In brief, adjoining buildings are to be constructed at staggered setbacks along the front property line, building facade between setbacks will be continuous vertically from storefront at ground level to cornice, fascia, gutters, etc. Roof forms, such as gabled, gambrel, sloped, flat with cornice, etc. must be varied at setbacks and between second and third floor. No one roof form can continue beyond two setbacks. Parking is to be open between the lots, accessed from a common drive and located behind the buildings, and the architecture shall be reminiscent of turn-of-the-century Vienna, emphasizing street level design and pedestrian oriented spaces.

**FIGURE 2.17. Example of conceptual architectural elevation.**



- ii. Each development shall be proportionate to the other in terms of height, scale and massing. While each building and site is developed independently and may incorporate many eclectic styles and design elements, the overall effect shall be a cohesive and comprehensive architectural area.
- iii. These renderings are not to be interpreted as working drawings, binding illustrations or specific requirements for any building or lot. The written guideline text is the applicable medium and, in the event of conflict between elements in any rendering and the written guideline text, the written guideline text shall prevail.

**E. Building Design Features.**

- i. These design guidelines illustrate ways construction may occur which will complement and enhance the Town's character. They are not intended to dictate a particular style but rather offer guidance to the development theme desired in the Church Street Vision Incentive Overlay (CS-O). Buildings and developments within the CS-O overlay shall incorporate Virginia vernacular and enhance architectural styles that are reminiscent of the Town's history between 1890 and 1930.
- ii. **Design goal:** To coordinate the visual and architectural characteristics in the CS-O overlay, emphasize Vienna's heritage, and create a pedestrian oriented streetscape.

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iii. **Design objectives:**

- a. Preserve the character of the adjacent residential neighborhoods;
- b. Encourage reinvestment in the area by private property owners and merchants;
- c. Provide for at-grade separation of pedestrian and vehicular traffic through the use of on-street parking, centralized parking and clearly defined walkways;
- d. Integrate and enhance pedestrian walkways between commercial properties and public parks and lands;
- e. Maintain the character and heritage of the original historic Presbyterian Church, Freeman House and the Washington and Old Dominion (W&OD) Trail area as an enhanced public focal point and corridor gateway;
- f. Focus commercial activities, store fronts and signage at the pedestrian level.

iv. **Design policies:**

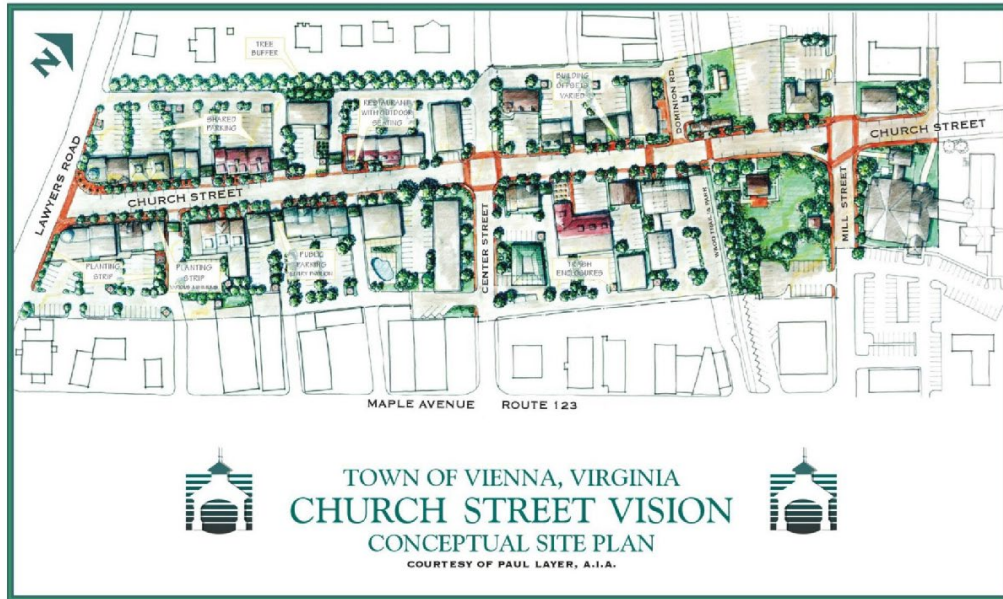
- a. Continue the undergrounding of individual building utility connections;
- b. Coordinate private development with the municipal Church Street streetscape project design elements;
- c. Encourage shared and public automobile parking facilities and non-motorized transportation alternatives.

v. **General design requirements:**

- a. Architectural styles for new buildings or the remodeling or renovation of existing buildings will be chosen from recommended characteristics shown in the conceptual architectural renderings appearing herein at § 18-236 and Town history and enhance the character of the Church Street corridor.
- b. Building additions shall be compatible with the conceptual architecture and provide compatible details, scale, voids, materials and colors.
- c. The lower level of buildings shall offer a front design that is conducive to pedestrian activity and interest.
- d. Visual interest shall be provided along the street and pedestrian ways, such as entrances, display windows, landscape areas and outdoor seating.
- e. Primary customer entrances shall be designed and focused on the street front. Such entrances must be maintained and accessible as an entrance at all times. Any secondary entrance must mimic the materials and design of the primary entrance.
- f. Arcades are encouraged along the first floor of corner buildings but may not be used more frequently than every three store fronts or eighty (80) feet.
- g. Solid walls, dull or minimal facades will not be designed along streets or pedestrian ways.
- h. Building heights shall be compatible with adjacent buildings and the topography of the site and in compliance with the conceptual architectural renderings.
- i. Building setbacks of in-fill structures shall be consistent with neighboring structures and in compliance with staggered setback requirements.

- j. The width and proportion of building facades shall be compatible with the overall scale of the neighborhood. Where multiple developments are proposed, the development proposal shall create the feeling of architectural proportionality through exterior facade design.
  - k. Courtyard style arrangements of buildings are encouraged along the W&OD Trail and at other suitable locations to emphasize pedestrian access and minimize automobile importance.
  - l. Parking shall be designed to the rear of the lot when possible. When adjoining another lot with abutting parking, the lots will be integrated and opened to each other when practical.
  - m. Landscaping shall be included around the parking facilities to ease their appearance in compliance with the submitted landscape plan.
  - n. Landscape areas shall be used to enhance the buildings situation and orientation on a lot.
  - o. Safe, convenient walkways shall be identified by paver materials that coordinate with the public sidewalks within the public street right-of-way.
  - p. Lots in the CS-O overlay on the southern side of Church Street shall encourage pedestrian access to Maple Avenue by sidewalks or paths through the lots, tying the commercial corridors together both visually and physically.
  - q. Signs shall be integrated into the design of the building. They shall not interfere with the architectural integrity or features of the building and meet the sign design guidelines of this section. A complete sign package shall be designed in accordance with the design of the building, showing all intended signs along with font styles, attachment specifications standards, brackets, etc. for reviews in conjunction with proposed building design.
  - r. Exposed neon or any other similar linear or strip lighting shall not be visible from the street, regardless of form, size or interior location; it shall not be used as a building detail, decorative accent or signage.
  - s. Materials used for construction will be consistent with the provisions of § 18-236.
  - t. Vinyl siding may not be used below the second floor on any wall or surface visible from a public way. Aluminum siding and buildings primarily of glass are prohibited.
  - u. Awnings or canopies may only be used in restaurant areas with outdoor patron seating.
  - v. Awnings and/or canopies will be made of fabric. Vinyl or plastic awnings or canopies are not permitted.
  - w. Building equipment, such as generators and air conditioning units shall be screened from view in a manner compatible with the site and using materials similar to the building and harmonious with the design.
- vi. **Conceptual plan.** The following rendering is a conceptual site plan with identified design elements satisfying § 18-236. It should not be interpreted as a working drawing, binding illustration or specific requirement for any building or lot. The written guideline text is the applicable medium and in the event of any conflict between elements in the conceptual site plan and the written guideline text, the written guideline text shall prevail.

FIGURE 2.18. Conceptual site plan example.



- F. **Building setbacks and siting.** Buildings shall be constructed to meet the following setbacks and siting criteria:
- i. Buildings shall be placed forward on a lot to create a continuous street block. Buildings shall have a relationship to adjacent buildings and facades that creates a staggered building line along the street, consistent with the following criteria.
  - ii. **Dimensional Standards:**

BUILDING PLACEMENT STANDARDS		
FY	Front Yard Setback	10 ft. min. for a maximum of 40 ft. of building frontage from corner of corner lot Alternating setbacks of 5 ft. min., 7 ft. 8 in. min., and 10 ft. 4 in. min. for a maximum of 40 ft.
SY	Side Yard Setback	Minimum required by Virginia Uniform Statewide Building Code for interior lots 5 ft. min.; corner lot
RY	Rear Yard Setback	50 ft. min.
BUILDING STANDARDS		
H	Building Height	35 ft. max. In-fill buildings shall be of compatible height with adjacent buildings whenever possible.

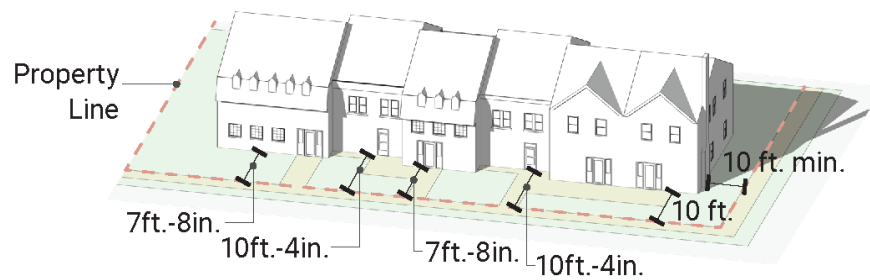
### Reference to Other Standards

Uses and Use Standards: See Article 3;

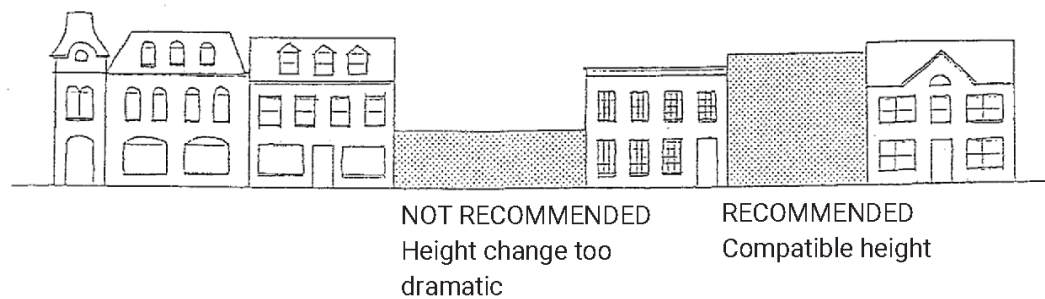
Development Standards - Commercial, Industrial, and Mixed-Uses: See Article 5A;

Development Standards - Public, Institutional and Community Uses: See Article 5B.

**FIGURE 2.19. Illustration of staggered setbacks.**

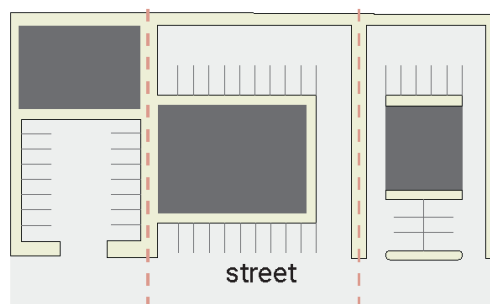


**FIGURE 2.20. Illustration of recommended height.**



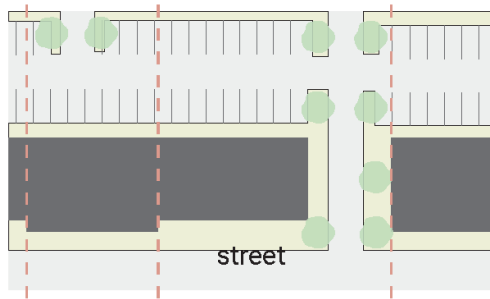
- iii. **Siting.** Parking is located behind the buildings which are pushed forward on the lot; Parking along the side of the building is screened by a wall; Parking is shared between properties and parking lots cross property lines.

**FIGURE 2.21. Illustration of a siting that is not recommended, where parking is located in front of the buildings.**



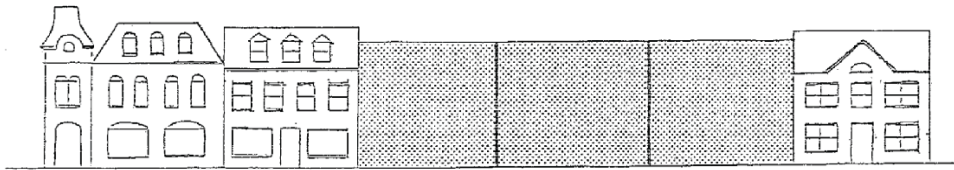


**FIGURE 2.22. Illustration of a siting that is recommended.**

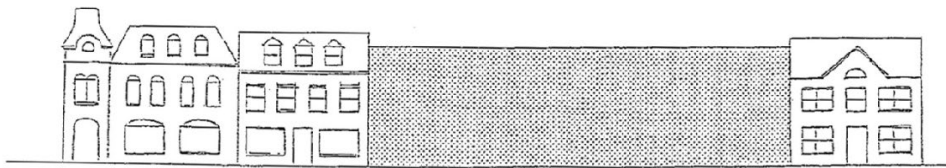


- G. **Facade Proportion and street level continuity.** The width and proportion of building facades (the relationship of a building's width to its height) shall be consistent with adjacent buildings. Buildings with a street front longer than forty (40) feet shall be architecturally designed and situated on the site to create the impression of multiple facades with staggered setbacks as set out in this section. Buildings should not be set back beyond the front building setbacks established in this section nor be situated to create a street front setback longer than forty (40) feet.

**FIGURE 2.23. Illustration of recommended compatible façade proportion.**



**FIGURE 2.24. Illustration of façade that is too long and not recommended.**



- H. **Street level vitality.** The street level of new and in-fill buildings, plazas, courtyards or other space and structures that face the street shall provide a primary pedestrian access and orient their design toward the street.



**FIGURE 2.25. Illustration of street vitality examples.****I. Specific design requirements.**

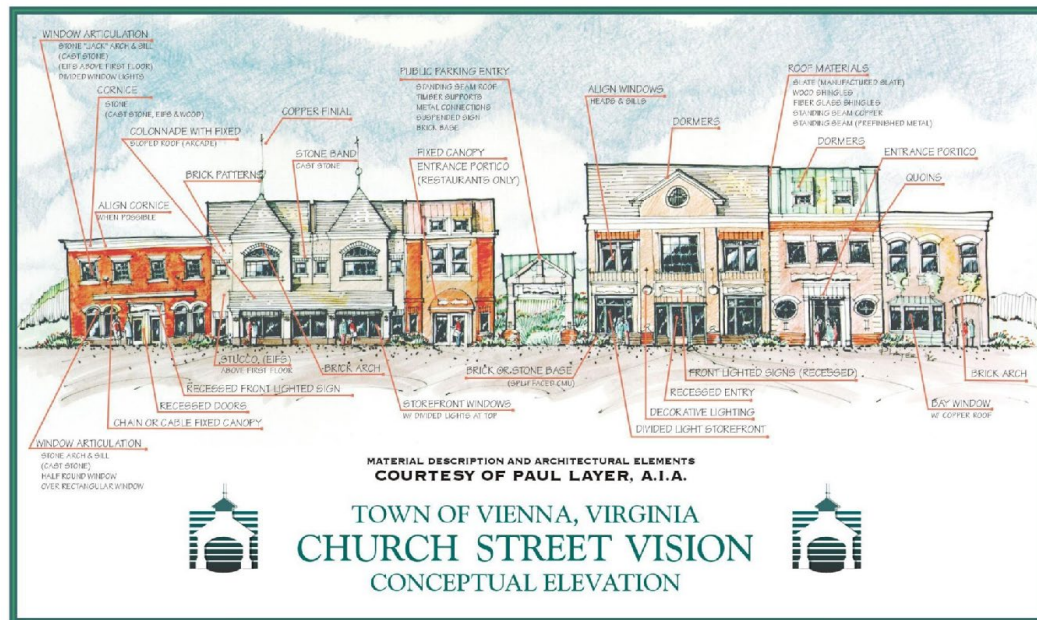
- i. First-story roofs shall have a minimum slope of 6:12.
- ii. Window centerlines shall be aligned whenever possible.
- iii. Cornices shall be aligned whenever possible.
- iv. Stucco may be used no nearer than two feet eight inches (2'8") to the base of the building. The building base, up to a height of two feet eight inches (2'8") above grade, should be constructed of brick or stone with a water table; split face block is acceptable upon review.
- v. EIFS, or any like material, may only be used above the first floor.
- vi. Mansard roofs are not permitted.

**J. Floor to area ratio (FAR).**

- i. The maximum floor to area ratio (FAR) shall not exceed 0.7 for any lot and only upon accommodating both site and building design criteria.
- ii. Floor to area ratio is defined as the ratio of total floor area on a lot divided by the total lot area (FAR = total floor area/total lot area).
- iii. Total floor area is defined as the interior space of all floors of a building minus stairways, elevators, and attics or cellars with a ceiling height of six feet or less.

- K. Building materials.** The following rendering identifies construction materials and architectural elements included in the CS-O overlay. It shall not be interpreted as a working drawing, binding illustration or specific requirement for any building or lot. The written guideline text is the applicable medium and in the event of any conflict between elements in any rendering and the written guideline text by the written guideline text shall prevail.

**FIGURE 2.26. Illustration of architectural elements and building materials included in the CS-O overlay.**



**L. Parking and circulation requirements.**

- i. Parking shall be designed to the rear of the lot when possible. Where parking can only be located on the side of building, it must be screened from the principal pedestrian way by a low wall that integrates into the adjoining building or by the use of low hedges or other appropriate landscaping.
- ii. When adjoining another lot with abutting parking, the lots shall be integrated and opened to each other. In order to achieve the requirements of this section, reserved parking may be prohibited by site plan approval except for one reserved space for the owner or manager of the site.
- iii. These requirements shall in no way be permitted to delete otherwise lawfully required handicapped spaces.
- iv. Landscaping shall be included around the parking facilities to ease their appearance when possible.
- v. All lots developed as part of the CS-O district using the approved design guidelines shall provide shared parking with other lots developed under the Church Street Vision Design Guidelines unless prevented by an adjoining lot or lots not developed under the approved design guidelines.

**FIGURE 2.27. Illustration of access ways.**



access way map.

- vi. Standard parking spaces. All parking shall be provided at a net ratio of one space per six hundred (600) square feet of total floor area.
- vii. Compact parking spaces:
  - a. 40 percent of provided parking spaces may be compact in size.
  - b. Compact parking spaces are described in § 18-529.
- viii. Access ways and easements:
  - a. Access ways shall be developed within existing rights-of-way when possible, including existing, undeveloped alleys within the CS zone. When public rights-of-way or alleys are not available, access ways shall be established through dedicated public access easements specifying they are for public access purposes.
  - b. Access easements shall meet fire codes and standards for one- and two-way traffic as determined and identified on the access way map.
  - c. Additional public access easements may be required adjacent to existing rights-of-way or alleys to meet the fire code standards.
- M. **Lighting.** Lighting standards shall be no more than ten (10) feet in height above grade and shall be so arranged and hooded as to confine all direct light rays entirely within the boundaries of the property. Indirect and low ground-oriented lighting should be used whenever possible. Lighting fixture designs shall be harmonious with the general architectural nature of the building or site.

N. **Design Guidelines for Signs.** Signs shall provide a coordinated image between signs and buildings and provide adequate exposure for the businesses.

i. **General sign design requirements.**

- a. Signs shall be integrated into the design of the building and shall not interfere with the architectural integrity or features of the building.
- b. Exterior signs shall face public thoroughfares or rear parking lots.
- c. Signs may not be placed nearer to a window or door than a distance equal to the width of any molding surrounding the window or door. In the event there is no molding, the sign shall not be placed nearer to the edge of a window or door than four inches.
- d. Multiple panel signs shall be designed to create a harmonious overall impression.
- e. Exterior signs shall have an element of "three-dimensionality."

ii. **Content and layout.**

- a. Sign text may only include the business name as the same is stated on the business license, except that a "trading as" (T/A) or "doing business as" (DBA) identity is acceptable. Either a tag line or three descriptive or informational items are also permitted. A trademark, or logo may be incorporated into the sign design provided the same conforms as to this provision. Telephone and facsimile numbers, Internet and electronic mail (E-mail) addresses, and prices may not be displayed on any sign.
- b. Sign design and copy shall serve the primary purpose of business identification. Colors shall be used appropriately for the architecture, business identification and design elements. Designs and colors shall not be used for product advertisement.
- c. Store hours may only be posted on an additional unilluminated sign no larger than 1½ square feet and placed adjacent to any public entrance.
- d. Sign layouts shall be centered within the sign area such that there is a border space around the entire sign with a width equal to ten percent of the total sign width.
- e. Sign designs and letter forms shall be professionally prepared.

iii. **Materials.**

- a. Materials for signs will be consistent with the building architecture and section § 18-236.
- b. Signs shall be made of predominately natural materials such as wood, metal or stone.
- c. Synthetic materials, including plastic and sign foam, may be used only when it is finished to appear as a natural material.
- d. Unpainted plastic, molded plastic letters and vinyl leaf shall not be used.
- e. Glass beads or sand may be used to add texture.
- f. Only genuine metallic leaf products in gold or silver and Palladium leaf (a.k.a. Dutch Metal) may be used.

iv. **Lighting.**

- a. Signs may be illuminated by reflected light only.
- b. Signs may not be internally illuminated or use any exposed neon tubing.

- c. Signs may be illuminated only by external spot lighting; such light fixtures to be architecturally part of the structure.
- v. **Open signs.**
  - a. Each business may place one sign reading "open" in a store window facing a public thoroughfare or parking lot.
  - b. "Open" signs may not exceed 1½ square feet, may not be internally illuminated and may not be made of neon.
- vi. **Window signs.** Only the following window signs will be permitted:
  - a. One permanent window sign for each business, lettered on the inside of the glass with no background color, no larger than 25 percent of each window area of the window in which it is placed and made of either gold leaf, silver leaf or white individual letters.
  - b. The area of a window sign will be calculated by measuring the outer edge of the overall sign image.
  - c. Temporary window signs may not cover more than ten percent of any window area in which it is placed. Temporary window signs may not stay up for more than 30 days at one time and there may be no more than four such signs posted in any one calendar year.
- vii. **Facade signs.**
  - a. Facade signs may not interfere with or interrupt building details or openings and shall be designed in coordination with the structure. Facade signs include any wall mounted sign facing the front street, rear customer entrance or other public way.
  - b. A total of two square feet of facade signage is permitted for each linear foot of building frontage. Such sign area is to be shared by all tenants or tenant spaces within the building.
  - c. Facade signs may be placed flat or perpendicular against any building side that fronts a parking lot or public thoroughfare.
  - d. Facade signs must be permanently and securely attached to the building.
  - e. Facade signs must be reinforced with a continuous metal band around the outer edge of the sign.
  - f. Facade signs shall be below the trim fascia or gutter line.
  - g. Facade signs shall not eclipse the roofline.
  - h. Facade signs may be illuminated only by external spot lighting; such light fixtures to be architecturally part of the structure.
  - i. Perpendicular signs may not project more than four feet from the building facade, may not over-hang the property line, and may not interfere with pedestrian traffic or the building's architectural elements.
- viii. **Canopy signs.** Canopy signs may only be placed flat along the canopy valance.
- ix. **Freestanding signs.**
  - a. More than one freestanding sign may be erected per building but may not over-hang the property line or interfere with pedestrian traffic or the building's architectural elements.
  - b. A freestanding sign may be no larger than twenty-four (24) square feet per building.
- x. **Sign prohibitions.** The following signs are prohibited:

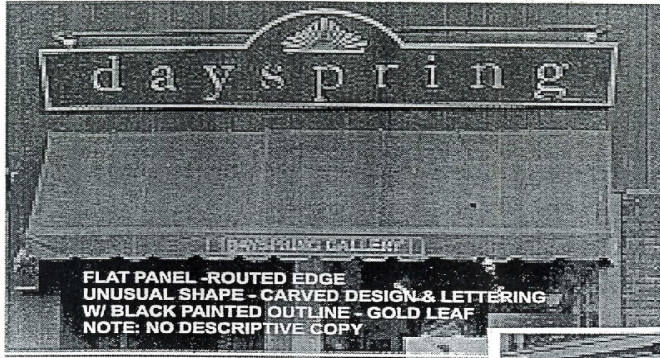
- a. A-frame or sandwich board signs;
  - b. Billboards;
  - c. Signs which involve motion or rotation of any part, or display flashing, strobe, or intermittent lights;
  - d. Signs generating amplified sound, smoke, vapor particle emission or objectionable odors;
  - e. Standards, banners, flags, streamers and similar devices, except for national, state or local governmental flags and temporary banners approved by the zoning administrator;
  - f. Exposed neon visible from the street regardless of form, location or message, including signs reading "open";
  - g. Shopping center style directory signs for multiple tenants.
- xi. **Additional sign restrictions.**
- a. Signs shall not be placed or used to compete for automobile visibility.
  - b. Real estate, "for sale" and "for rent" signs may only be placed in the windows of the building to which the signs pertain. Such signs may not be placed in outdoor locations and may be up only so long as the space is for rent or sale.
  - c. Signs may not use fluorescent colors, paint additives such as "pearl" or "metal flake" reflective sheeting, or refractive metallic films, including gold leaf vinyl sheeting.
  - d. Signs may not be placed or erected upon the roof of any building.
  - e. Signs may not be plainly offensive to human sensibilities or otherwise provide a reasonably foreseeable detriment to the community.
- xii. **Sign examples.** The following pages provide examples of signs that illustrate the design elements, styles, colors and materials required in the CS-O overlay:



FIGURE 2.28. Sign Examples.

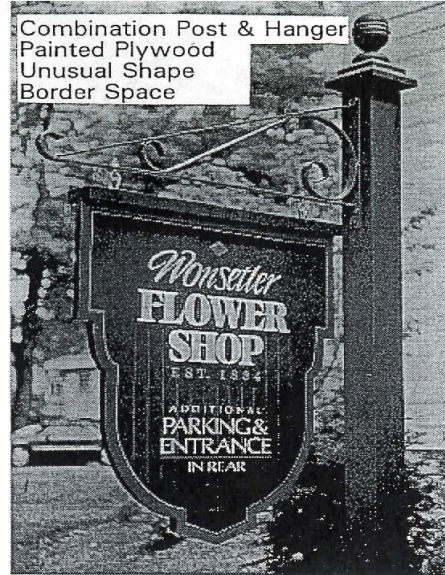
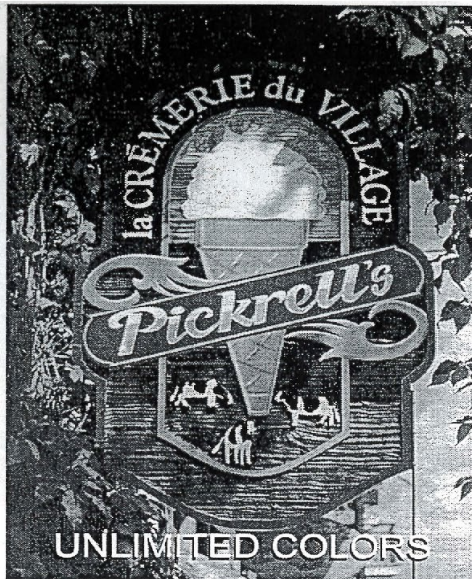




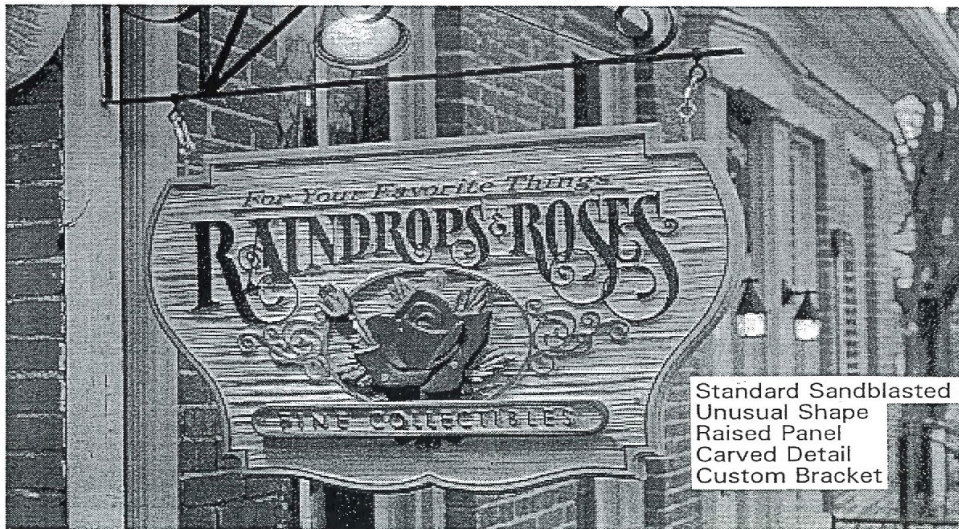


RECTANGULAR SHAPE  
CONTRASTING MOLDING  
INCISED GOLD LEAF LETTERING



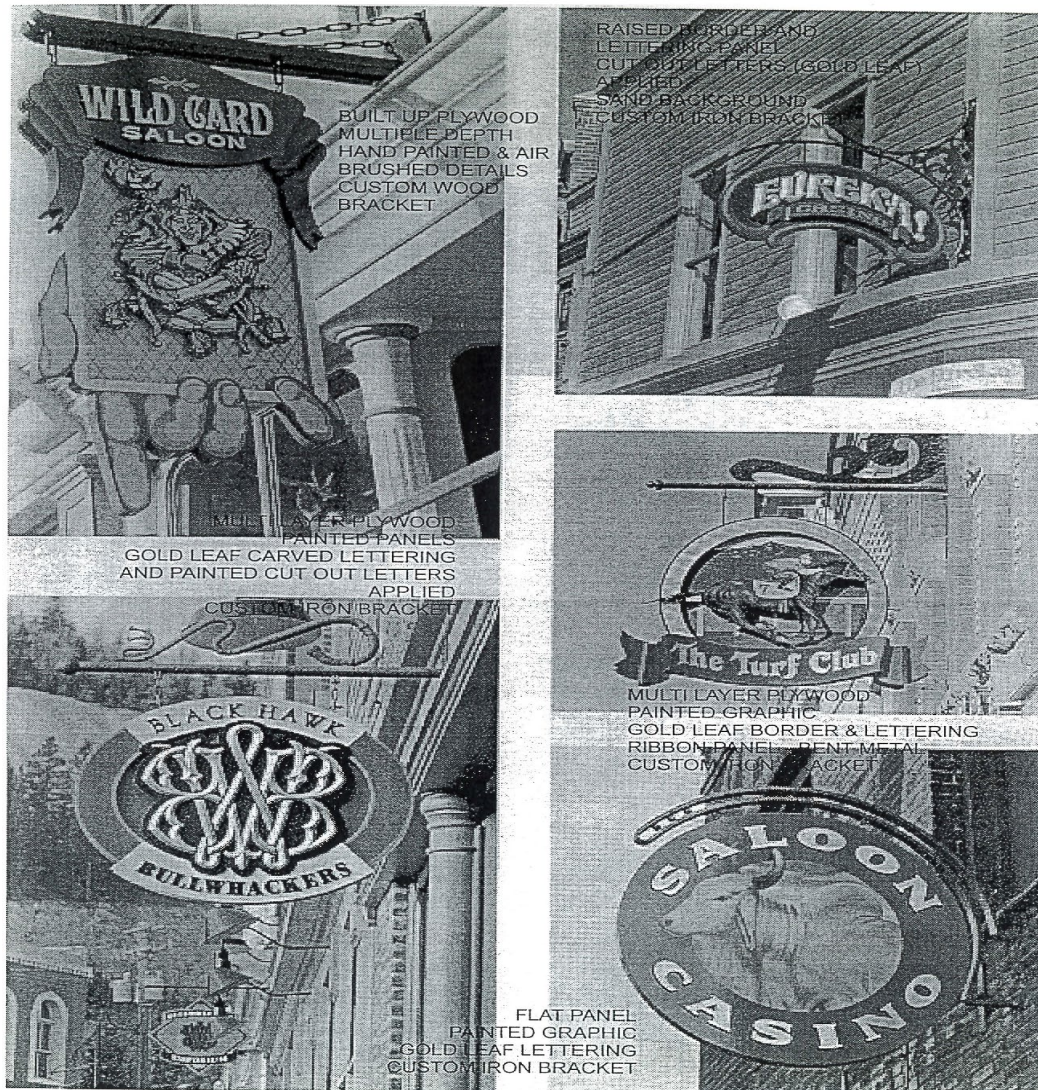


Combination Post & Hanger  
Painted Plywood  
Unusual Shape  
Border Space



Standard Sandblasted Sign  
Unusual Shape  
Raised Panel  
Carved Detail  
Custom Bracket





## PROJECTING SIGN SAMPLES

### O. Outside display and storage.

- i. Vending machines. Vending machines may not be placed outside of a wholly enclosed building or shelter.
- ii. Dumpsters. Trash, recycling and any other refuse collection dumpsters shall be located at the rear of the property and either screened, enclosed or otherwise blocked from public view. Such screening or enclosure shall be designed in conjunction with the primary building, shall use similar materials and shall provide complete obscurity of the dumpster. The screen or enclosure shall have double doors. Chainlink fencing may not be used.

### P. Sidewalks.

- i. Sidewalks in the identified CS-O overlay area shall be paved with coordinating pavers and designed to match the existing pattern established along the Church Street corridor.

- ii. Brick pavers shall be used in a coordinating pattern to widen the public sidewalk as they adjoin private sidewalks.
- iii. Sidewalks in the public right-of-way shall be constructed the full width of the lot and shall connect with existing sidewalk sections.
- iv. Sidewalks shall be clearly identified and shall connect the building entrance with the public sidewalks.
- v. Whenever possible, sidewalk patterns and pavers shall extend between the CS district and adjoining commercial properties to provide a visual connection between the commercial areas of Town and clearly delineating pedestrian space from automobile space.
- vi. A five-foot brick sidewalk shall be constructed along the front property line adjoining the public planter and sidewalk to create a divided double sidewalk. A landscaped area may be used instead, if a double sidewalk is inappropriate to the intended use of the building.
- vii. Except when the front yard is designed as a courtyard or patio, a landscape strip or planter shall be constructed between the building and the above-mentioned sidewalk. For buildings with the minimum setback, the planter or landscape strip must be at least two feet in width and placed adjacent to the building. The intent is to create a green space of varying width between the sidewalk and the building.

**Q. Landscaping.**

- i. Trees shall be used to enhance the open space areas and parking lots and shall be maintained in good condition by the property owner.
- ii. Trees shall be selected so that they are resilient to pollution and drought, do not produce berries or fruit and have deep root growth so they do not upheave the sidewalks or planters.
- iii. Every landscape island five feet or more in length shall hold at least one tree and additional trees shall be planted within the island, for the full length of the island, so the ten-year canopy of each tree will touch edge-to-edge.
- iv. Trees planted shall be a minimum of four inch caliper and meet the specifications of the American Association of Nurserymen.
- v. Forty percent of the landscape island area shall be planted with vegetation in addition to trees and shall be maintained in good condition by the property owner.
- vi. The planting of trees shall be done in accordance with either the standardized landscape specifications jointly adopted by the Virginia Nurserymen's Association, the Virginia Society of Landscape Designers and the Virginia Chapter of the American Society of Landscape Architects, or the road and bridge specifications of the Virginia Department of Transportation.

- R. Lighting.** Lighting standards shall be no more than ten feet in height above grade and shall be so arranged and hooded as to confine all direct light rays entirely within the boundaries of the property. Indirect and low ground-oriented lighting should be used whenever possible. Lighting fixture designs shall be harmonious with the general architectural nature of the building or site.

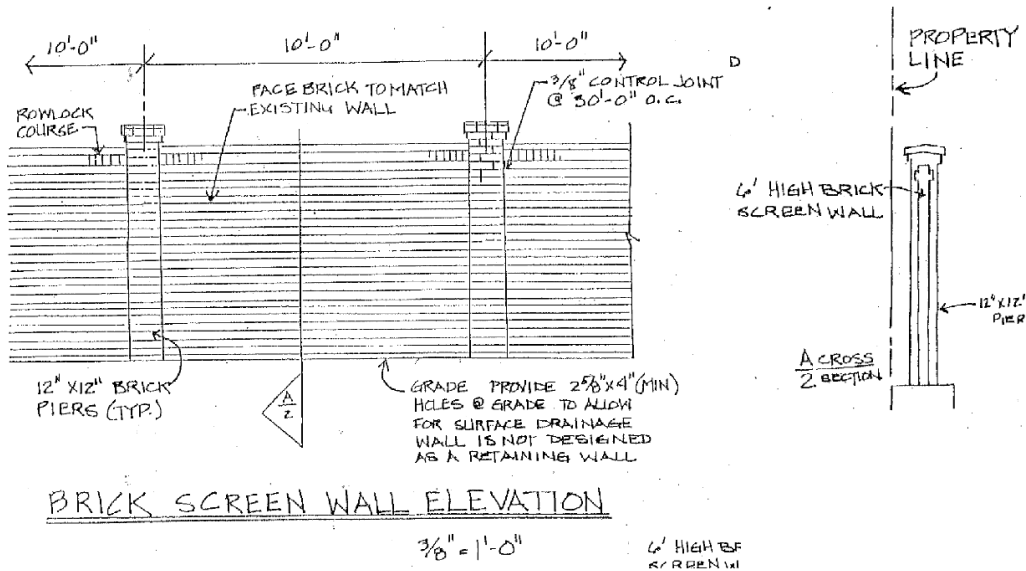
**S. Retaining walls and fences.**

- i. All retaining walls, fences, and screening between zoning districts shall be constructed to the following required design using the following required materials and colors.
- ii. A six (6) foot tall masonry wall is required between any lot zoned single-family residential and any commercially zoned property, including lots and public access ways in the CS district. Such wall shall be constructed and maintained along the property line but on the side of the commercial

land or access way. Such wall shall be constructed by the developer and maintained as part of the property.

- iii. Figure 2.29 represents the required design style for a masonry wall. The drawing should not be interpreted to be structurally detailed. Any masonry screen or retaining wall should reflect the same exterior design detail but will require additional structural engineering by an appropriately licensed professional.

**FIGURE 2.29. Masonry wall example.**



**5. Bonus modification.**

- i. The following are acceptable bonus incentives which may be granted as site plan modifications by the Town Council in return for an owner or developer providing building design and site plan features desired by and acceptable to the Town and as adopted by § 18-236.
- ii. Bonus incentives:
  - a. Increase building footage and lot coverage.
  - b. Modification of lot coverages in general.
  - c. Reduce front, rear, and side building setbacks.
  - d. Modification to required number, size and location of parking spaces.
- iii. Modification, variance, or waiver of use or maximum height restriction requirements are not permitted.

## DIVISION 7. SIGNS

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### **Sec. 18-538. Purpose and Intent.**

1. The intent of this division is to control all signs within the Town, to ensure that they are appropriate for their respective principal uses and in keeping with the appearance of the affected property and surrounding environment, and to protect the public health, safety, morals and general welfare. In addition, the intent of this article is to:
  - A. Encourage good design in the context of the overall image and visual environment of the Town;
  - B. Protect property values; enhance the appearance of the business and industrial community;
  - C. Stimulate the economic vitality of the Town, encourage a business atmosphere that continues to attract new enterprises to the Town, encourage trade within the Town, and to appropriately inform consumers;
  - D. Ensure that signs are adequate, but not excessive;
  - E. Prohibit the erection of signs in such numbers, sizes, designs and locations as may create danger to the public by obscuring road signs or by unsafely diverting the attention of motorists;
  - F. Prohibit signs which are likely to create unsafe conditions because of unsound structures or unsuitable locations;
  - G. Avoid excessive competition for placement of signs, so that permitted signs provide identification, direction, information and advertising while minimizing clutter and unsightliness.
2. The general premise for the control of signs includes legibility, the effective display of information, the safety of passing traffic, and the coordination of signs with buildings, landscaping and other elements of the visual environment. In particular, signs should be designed and constructed as follows:
  - A. For maximum legibility, considering viewing, location and traffic conditions.
  - B. For size and dimensions, signs should be related to the frontage and setback of the building.
  - C. The setback and size of signs should give a fair exposure to all commercial buildings in a given area.
  - D. Signs should be integrated with the architecture of the buildings to which they relate, and with the nearby landscaping.

### **Sec. 18-539. Applicability.**

1. This article shall be interpreted in a manner consistent with the First Amendment guarantee of free speech. This article shall allow a noncommercial message to be automatically displayed, whenever a commercial message is allowed to be displayed. If any provision of this article is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions of this article, which can be given effect without the invalid provision.
2. A sign placed on land or on a building for the purpose of identification, protection, or directing persons to a use conducted therein shall be deemed to be an integral but accessory and subordinate part of the principal use of land or building. Therefore, the intent of this article is to establish limitations on signs in order to ensure they are appropriate to the land, building, or use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests.
3. These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are legible, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.

4. This Article does not apply to any sign placed in a public right-of-way and does not authorize or prohibit placement of any sign there.
5. **Exclusions.** The following are not considered signs per this ordinance. Features not considered signs are excluded from the calculation of sign area.
  - A. Federal, state, and local flags.
  - B. Street address signs.
  - C. All displays less than 1.5 square feet in area.

#### **Sec. 18-540. Sign Area.**

1. **How to Measure Sign Area and Dimensions.** See § 18-903 for information.
2. **How to Apply Permitted Sign Area.**
  - A. Sign area for permanent building-mounted and ground-mounted signage is determined by the length of the building frontage.
  - B. All sign types count towards either the ground-mounted sign area or the building-mounted sign area.
  - C. No single tenant in a multi-tenant building or site may exceed the sign area of the width of the tenant frontage without approval from the landowner or building manager.

#### **Sec. 18-541. Sign Illumination.**

1. Certain sign types may be illuminated as indicated herein. The type of lighting depends on the sign type and on the zone or district in which it is located as set forth herein.
2. No sign shall be illuminated if it is located on a building frontage within fifty (50) feet of a property line adjoining a residentially zoned property or a public alley that separates commercial/industrial districts and residential zones.
3. All external light sources for signage should be shielded and down-facing, and the light shall be so directed that only the face of the sign is illuminated.
4. Sign illumination permitted by zone or district are as follows:

✓ = Permitted X= NOT PERMITTED

ZONE OR DISTRICT	GROUND MOUNTED SIGNS			BUILDING MOUNTED SIGNS		
	External	External Shadow	Internal	External	External Shadow	Internal
AC, AE, AW, GS, CP, M, NM	✓	✓	✓	✓	✓	✓
CS	✓	✓	X	✓	✓	✓
CS-O	✓	X	X	✓	X	X
RS-10, RS-12.5, RS-16	✓	X	X	✓	✓	X
RMU, PR	✓	X	X	✓	X	X
T	✓	✓	X	X	X	X



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**FIGURE 5A.9. Sign illumination examples.**



**Sec. 18-542. Sign Setbacks.**

1. All ground-mounted sign structures must be set back from the right-of-way a distance that is at least equal to the sign height.
2. Signs must meet the height restrictions of § 18-514, Sight Triangle.

**Sec. 18-543. Certificate of Approval Required.**

1. All permanent sign types are required to be reviewed by the Board of Architectural Review and shall not be permitted or constructed until the Board of Architectural Review issues a Certificate of Approval. See § 18-821 for review procedure.
2. Signs exempted from review by the Board of Architectural Review:
  - A. Signs that meet the requirements of a Master Sign Plan that has previously been approved by the Board of Architectural Review, and
  - B. Temporary signs, as described in § 18-547.

**Sec. 18-544. Prohibited Signs.**

The following signs are prohibited in all zones and districts:

1. Signs and/or sign structures that are erected on any property without the express written permission of the property owner or their authorized agent(s).
2. Signs that are a public nuisance for, without limitation, reasons of amplified sound, smoke, vapor, particle emission or objectionable odors.
3. Moving or rotating signs, flags, pennants, streamers, balloons, or similar devices that involve motion or rotation of any part or display.
4. Signs with electronic messages; changeable copy; changing color(s); flashing, blinking, or oscillating effects; that imitate movement through lighting effects; or that use video display of any kind.  
Exception: As expressly permitted herein or for fuel station pricing signs in which prices are displayed continuously, with occasional changes.
5. Any exposed-tubing lighting arrangement, except that:
  - A. Signs of more than 1.5 square feet in total area and consisting of exposed tubing that were in existence as of August 19, 1991, may continue in operation only so long as they remain in good operating condition and provided that they are not replaced or altered in any manner whatsoever. For the purposes of this section, the term "replaced" shall mean the removal of an

existing lighting arrangement and its substitution with any other type as defined herein; and the term "altered" shall mean the process of changing, enlarging, extending, or reducing the existing lighting arrangement.

- B. Any business establishment may have one or more signs with exposed-tubing lighting if the total area does not exceed 1.5 square feet, with the condition that the sign is not moving or blinking.
- 6. Portable signs. Signs located on trailers, wheels, or affixed to a vehicle intended for advertising. Exception: Business-related vehicles parked on-site with valid tags and registration.
- 7. Signs that contain words, pictures, or statements that are obscene.
- 8. Signs placed in the right-of-way without the expressed consent of the Town. See Town Code § 10-28.1.
- 9. Signs of any type shall not be erected upon the roof of any building, except on the sides of a mansard-type roof.

#### **Sec. 18-545. Removal of Unsafe, Unlawful, or Abandoned Signs.**

- 1. Signs must be covered or removed once a property is abandoned or once the use for which a sign has been created and installed is no longer occupying the relevant site. See Article 9, § 18-855.6.
- 2. All signs and sign structures shall be maintained in good repair and in a safe and secure condition. A sign or sign structure found by the zoning administrator or their designee to be unsafe or insecure may be deemed a public nuisance, subject to the removal provisions of this Chapter.
- 3. All signs and sign structures shall be kept in a neat, clean and presentable condition, such that each sign information item is clearly legible. A sign found by the zoning administrator or their designee to show clear evidence of deterioration, including rust, faded colors, discoloration, holes and missing parts or information items, may be deemed a public nuisance, subject to the removal provisions of this Chapter.

#### **Sec. 18-546. Sign Standards - Permanent Signs.**

- 1. Permanent signage is permitted for commercial, industrial, and mixed uses in all zoning districts.
- 2. **Ground mounted signs.**
  - A. Total maximum aggregate sign area permitted for ground mounted signs for all commercial, industrial, and mixed uses in all zones and districts are as follows:

	<b>RS-10, RS-12.5, RS-16</b>	<b>RMU, T, CS-O</b>	<b>AC, AC-O, CS, M, NM</b>	<b>AE, AW, GS</b>	<b>CP</b>
All Sites & Structures	36 sq. ft.	24 sq. ft.	-	-	150 sq. ft.
<b>Sites with Primary Site Frontage of:</b>					
124 linear ft. or less			24 sq. ft.	36 sq. ft.	
125 to 249 linear ft.			36 sq. ft.	48 sq. ft.	
250 linear ft. or more			48 sq. ft.	60 sq. ft.	

- B. Maximum height of ground mounted signs for all public, institutional, and community uses in all zone or districts are as follows:

	RS-10, RS-12.5, RS-16	RMU, T, NM, CS-O	AC, AC-O, CS, M	AE, AW, GS	CP
All Sites & Structures	4 ft.	4 ft.	10 ft.	10 ft.	10 ft.

- C. Number of Ground Mounted Signs Permitted by Type in all zones and districts:

- i. Properties located in AC, AC-O, AE, AW, CS, GS, NM:

Primary Frontage of Site	Monument	Secondary	Freestanding Hanging
124 linear ft. or less	1 per site	*No count limit	2 per site
125 linear ft. or more	2 per site	*No count limit	3 per site

- ii. Properties located in other zones and districts:

Zone or District	Monument	Secondary	Freestanding Hanging
RS-10, RS-12.5, RS-16	1 per frontage	*No count limit	1 per entrance
RMU	*No count limit	*No count limit	1 per entrance
CS-O	* No count limit	*No count limit	*No count limit
T	1 per entrance	*No count limit	3 per site
M	1 per entrance plus 1 per trail frontage	*No count limit	1 per site plus 1 per trail frontage
CP	1 per entrance	*No count limit	Not permitted

3. Building mounted signs.

- A. Total maximum aggregate sign area permitted for building mounted signs for all public, institutional, and community uses in all zones and districts are as follows:

Zone or District	Total Sign Area Permitted
AC, AC-O, AE, AW, CS, CS-O, GS, M, NM	2 sq. ft. per linear foot of building frontage at ground level
T	5 sq. ft. per tenant max
RS-10, RS-12.5, RS-16, RMU	24 sq. ft. max.
CP	500 sq. ft. max.

- B. Number of Building Mounted Signs Permitted by Type in all zones and districts:

- i. Properties located in AC, AC-O, AE, AW, CS, GS:

Primary Frontage of Site	Wall; Wall, Minor; Awning	Projecting	Projecting, Minor	Window	Canopy

124 linear ft. or less	*No count limit	1 per structure	1 per building frontage max.	1 per window frame max. at ground level	2 per canopy max.
125 linear ft. or more	*No count limit	1 per building frontage max.	1 per building tenant max., located on ground level only	1 per window frame max. at ground level	2 per canopy max.

ii. **Properties located in other zones and districts:**

	<b>RS-10, RS-12.5, RS-16, PR</b>	<b>RMU</b>	<b>CS-O</b>	<b>T</b>	<b>M</b>	<b>CP</b>
Wall	1 per building max.	*No count limit	*No count limit	1 per tenant max.	*No count limit	*No count limit
Wall, Minor	*No count limit					
Projecting, Minor	*No count limit	1 per building frontage max.	1 per tenant max.	1 per tenant max.	1 per tenant max.	*No count limit
Window	Not permitted	Not permitted	1 per tenant max.	Not permitted	1 per window max.	Not permitted
Awning	1 per building frontage max.	1 per building frontage max.	1 per tenant max.	*No count limit	*No count limit	*No count limit
Canopy	1 per canopy max.	Not permitted	1 per canopy max.	1 per canopy max.	2 per canopy max.	*No count limit

**Sec. 18-547. Sign Standards - Temporary Signs.**

1. Temporary signs are permitted for commercial, industrial and mixed uses as follows:

<b>STANDARDS FOR TEMPORARY WINDOW SIGNS</b>			
<b>Type of Sign</b>	<b>Sign Area</b>	<b>Number of Signs Permitted</b>	<b>Maximum Duration of Display</b>
Window signs	25% max. of total area of single window	1 sign per window	60 days
A-Frame signs	12 sq. ft. max. for any single sign	1 sign per tenant	Unlimited
Banners & yard signs	25 sq. ft. max. for any single sign	50 sq. ft. max. cumulative sign area	60 days

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Non-commercial signs (construction, for sale, rent, or lease)	32 sq. ft. max. total sign area	1 sign per frontage max.	During duration of construction, sale, rent or lease
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2. **Other Regulations for Temporary Signage.**

- A. Temporary signs must be constructed of durable weather resistant materials.
- B. Moving or unsecured signs are prohibited.
- C. Banners and non-rigid signage must be affixed to a building or frame so that they shall not move with the wind or function as a flag.
- D. Non-commercial signs (construction, for sale, rent, or lease) shall not exceed five (5) feet in height.
- E. Temporary yard signs shall not exceed four (4) feet in height.
- F. Damaged, faded, or torn temporary signs must be removed.
- G. Signs must not block pedestrian access ways.
- H. All temporary signs must be located on private property, and may only be posted with the permission of the property owner.
- I. Unauthorized signs are to be removed by the property owner or tenant.

3. **Church Street Vision Overlay.** Temporary window signs in the Church Street Vision may not cover more than ten percent of any window area in which it is placed. Temporary window signs may not stay up for more than 30 days at one time and there may be no more than four such signs posted in any one calendar year.

4. **Temporary Sign Types.**

- A. **A-Frame.**
  - i. All signs must be clear of pedestrian pathways on private property.
  - ii. A-Frame signs are to be displayed only during a business's operating hours.
  - iii. A-Frame signs may not be placed in the right-of-way.
- B. **Banners.** Banners must be affixed to a flat surface such as a building, railing or a solid frame to remain static.
- C. **Window.**
  - i. Window signs must be affixed to the interior of windows.
  - ii. Damaged or faded window signs must be removed.
- D. **Yard signs.** Yard signs must be constructed of durable, weather resistant materials.