

# LEGEND

CURRENT CODE REFERENCE

CHANGE SINCE LAST DRAFT

New text since last draft

Definitions of accessory structures added for clarity. Article 9 - Definitions will be updated to include reference to this section.

Accessory structure standards divided into private yards and common areas.

**ARTICLE 17**

**Section 18-450 INTRODUCTION**

The standards in this Article 4B apply generally to all new construction, additions, and alterations in the RMU zone. Standards for principal structures relative to maximum permitted heights and required setbacks may be found in Article 2.

**Section 18-451 ACCESSORY STRUCTURES**

**1. Accessory Structures Generally**

- A. Accessory structures are allowed only in connection with, incidental to, and on the same lot with a principal use or structure that is permitted.
- B. No accessory structure shall be located within any platted or recorded easement, except as expressly agreed to in writing by the easement owner. The applicant who is submitting for a building permit to construct an accessory structure shall be responsible for correctly identifying any easements and the ownership of those easements on the site plan.
- 18-142 C. No accessory structure may be used for dwelling purposes.

**2. Accessory Structures - Private Yards**

- A. Accessory structures located on private lots in the RMU zone may include the following:
  - i. Sheds and similar storage structures
  - ii. Green houses
  - iii. Gazebos and similar structures
  - iv. Other similar structures as determined acceptable by the Zoning Administrator.

- 18-51 B. Accessory structures in private yards shall be no greater than 7 feet in height and no greater than 64 square feet in area. See Article 2 Section 18-206.5 for measurement of accessory structures.

- 18-138 C. Accessory structures shall be located in the rear yard only.
- D. Accessory structures must meet the following setbacks in private yards:
  - i. 5' from the nearest structure
  - ii. 1' from the rear or side lot lines

- 18-51 E. Accessory structures shall be screened from all adjacent properties by a solid ornamental screening type fence, solid brick wall, or ornamental masonry wall six feet in height.

**3. Accessory Structures - Common Areas**

- A. Accessory structures in common spaces on RMU zoned lots may include the following:
  - i. Sheds and similar storage structures
  - ii. Green houses
  - iii. Gazebos and similar structures
  - iv. Pool houses
  - v. Community buildings
  - vi. Other similar structures as determined acceptable by the Zoning Administrator

**CURRENT CODE**

**Sec. 18-138. - One-story accessory building; where to be located.**

An accessory building not exceeding one story or 14 feet in height above average grade may be located only in the rear yard and shall not be closer than five feet to any alley line and not less than one foot from any side or rear lot line

**Sec. 18-140. - Accessory building; area and location.**

An accessory building may occupy not more than 30 percent of the area of a required rear yard. In residential zones, where any portion of such accessory building is located in the rear of a principal building, it shall be not less than ten feet therefrom; where no portion of such accessory building is located directly in the rear of a principal building, it shall be not less than 15 feet therefrom; ~~and provided further that the front of the accessory building shall be no less than ten feet from an extension of the rear wall line of the principal building on the adjacent lots.~~

**Sec. 18-141. - Accessory building on corner lot.**

No accessory building on a corner lot shall be constructed beyond the building line of any adjoining lot, nor be located nearer than five feet to the side line of such adjoining lot.

**Sec. 18-142. - Accessory building not to be used for dwelling purposes.**

No accessory building shall be used for dwelling purposes other than by domestic servants, employed entirely on the premises.

**Sec. 18-4 Definitions**

Accessory building means a subordinate building or a portion of the main building, the use of which is incidental to that of the principal use of the main building.

**Sec. 18-51. - Accessory building and private parking area requirements.**

Accessory buildings and private parking areas shall not be permitted except that on any one lot there may be maintained one tool storage shed not exceeding seven feet in height nor covering more than 64 square feet in area. The rear yard of any townhouse in which any such accessory building is located shall be screened from all adjacent properties by a solid ornamental screening type fence or solid brick or ornamental masonry wall six feet in height.

**LEGEND**

CURRENT CODE REFERENCE

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New text since last draft

Reference to architectural review added.

Article 4B. Development Standards – Multi-Unit Attached Residential Uses

- B. Accessory structures in common areas must be identified on an approved site plan.
- C. The required setbacks for accessory structures in common areas are based on the following criteria, multiple criteria may apply:

Criteria	Setback
Pool houses, community buildings, storage structures, other enclosed structures, 14 feet in height or less	10 feet from other structures 10 feet from interior side yard or rear yard 35 feet from front yard or corner side yard
Gazebos and shade structures, outdoor recreation facilities, other open structures, 14 feet in height or less	10 feet from other structures 25 feet from line interior side yard or rear yard 35 feet from front yard or corner side yard
All Accessory structures greater than 14 feet in height	35' from all property lines

- D. See Article 2 Section 18-206.5 for measurement of accessory structures.

**Section 18-452 ARCHITECTURAL REVIEW**

RMU zoned parcels are designated as Architectural Control Districts, and are subject to the review criteria of Chapter 4 - Architectural Design Control.

1. All Facades, roofs, external materials, accessory structures, landscaping, hardscaping, and lighting shall be submitted for architectural design review.
2. Private decks, fences, and patios shall not be considered structures for the purpose of architectural review for RMU-zoned parcels.
3. Not more than two abutting dwelling units and not more than one-third of any abutting series of dwelling units shall have the same architectural design or treatment of materials.

**Section 18-453 DECKS AND PATIOS**

Uncovered decks may encroach into the required rear yard by up to 10 feet and any other required yard by up to 4 feet. See Article 2.

1. **Private Yards.** The following standards apply to private yards exclusively related to and located on the same lot as duplexes, townhouses, and cottages courts in RMU-zones:
  - A. Private decks and patios are permitted in private yards.
  - B. Decks must be located in the rear of the structure, as determined by the architectural frontage.
  - C. Decks must be set back 10 feet from the end of a private yard.
  - D. Patios may be located in any required yard.
  - E. Patios must be set back 1 foot from all sides of required yards.

18-15

**CURRENT CODE**

**Sec. 18-44. - General specifications.**

J. Facades, roofs and treatment of external materials shall be submitted as a condition of site plan approval. Not more than two abutting dwelling units and not more than one third of any abutting series of dwelling units shall have the same architectural design or treatment of materials.

**Sec. 18-139. - Two-story accessory building; where to be located.**

A two-story accessory building is permitted provided that no part of it shall exceed the height of the principal building, or be located nearer than ten feet to any lot line.

**Sec. 18-15. - Area requirements.**

E. Rear yard. The rear yard shall be a minimum of 35 feet in depth. Decks may encroach into a rear yard, provided that no deck may cause the reduction of any rear yard to less than 25 feet in depth.

**Sec. 18-169. - Bay windows, eaves, decks and other architectural features.**

3. Uncovered decks, which shall not project more than four feet into any required yard, except as specified for rear yards in the RS-16, RS-12.5, RS-10 and RTH zones.

## LEGEND

CURRENT CODE  
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2. **Common Areas.** The following standards apply to common area of all housing types in RMU zones:
  - A. Patios are permitted in common areas and required open spaces, see Section 18-459 Open Space and Amenities.
  - B. Decks are permitted in common open spaces when associated with an accessory structure.
  - C. Decks and patios must be identified on the approved site plan.
  - D. Setbacks:
    - i. Patios shall be set back 15 feet from all property lines.
    - ii. Decks may encroach into the required rear yard up to 10 feet. All other setbacks must follow the same as the principal structures. See Article 2 Section 18-212.

### Section 18-454 FENCES AND WALLS

18-17

#### 1. Fences

- A. Fence height standards shall be as follows:
  - i. Front Yard: 4 ft. max. (Note: See sight triangle §18-464)
  - ii. Interior Side Yard: 6 ft. max.
  - iii. Corner Side Yard: 4 ft. max. (Note: See sight triangle §18-464)
  - iv. Rear Yard: 6 ft. max.
- B. Fences on corner lots may not be greater than 4 feet in height in the area between the extension of the neighbors' front building line and the right-of-way.
- C. Individual duplexes and townhomes may have fences to separate, and screen, designated private yards from common areas and open spaces.
- D. Fences surrounding outdoor recreation uses and sport courts may be a maximum of 12 feet in height.
- E. All fences or screens shall have the finished side facing the street and the adjoining properties.
- F. The use of barbed wire is not permitted.

18-171

#### 2. Walls

- A. Decorative walls, used to enclose private yards or common areas, and retaining walls must be shown on approved site plans and coordinated at the site development level. All retaining walls shall be shown on approved grading plans. See Article 8 Section 18-820 for site plan application and procedure information.
- B. Wall height and setback standards shall be as follows:
  - i. Walls located within sight triangle may not exceed 3 ft. in height. See sight triangle §18-410.
  - ii. Retaining walls of 5 feet in height or greater must meet requirements for building setbacks.
  - iii. Retaining walls greater than 5 feet in height are not permitted within front or corner side yards.
  - iv. Decorative walls shall follow the same height limits for fences.

## CURRENT CODE

### Sec. 18-17. - Fences.

(a) Any fence from the rear lot line to and including the front line of the building shall be no more than six feet high, except that on a corner lot the fence along the side yard fronting on a street shall be not more than four feet high, and the fence along the rear line, from the front of the adjacent house to its street line shall not exceed four feet in height. Any fence located between the front of the house and the front property line shall be not more than four feet high.

b) Any fence or screen constructed in any residential zone shall have the finished side facing the street or adjacent or abutting properties. The use of barbed wire is not permitted in any residential zone.

### Sec. 18-171. - Walls; when setback and yard requirements do not apply.

The setback and yard requirements of this chapter shall not apply to any retaining wall which is less than five feet high, nor to any decorative masonry wall which is less than four feet high.

# LEGEND

CURRENT CODE  
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New text since last draft

Current code does not have parking island and landscaping standards. Proposed draft is based on code from other jurisdictions.

## Article 4B. Development Standards – Multi-Unit Attached Residential Uses

- v. Decorative walls of 4 feet or greater must meet requirements for building setbacks.

### Section 18-455 FRONTAGE IMPROVEMENTS

17-67.1

1. The developer of any lot shall dedicate land along the lot frontage for sidewalk, curb, and gutter improvements as shown on the adopted Town Pedestrian Plan. Dedication of such improvements shall be in accordance with the standards set forth in this Chapter.

17-67.2

2. The developer of any lot that fronts an existing street shall dedicate land, construct a sidewalk, and connect such new sidewalk to the existing adjacent sidewalks, if any. Such new sidewalk shall be constructed in accordance with the standards set forth in the Public Facilities Manual.
3. Upon application by the developer to the Town, the Town Council designates the Director of Public Works to waive, in exceptional circumstances, in consultation with the Town Attorney and Town Manager, in his or her discretion, the construction of such new sidewalk and permit the deposit of designated funds for such construction in accordance with §18-611.

### Section 18-456 LANDSCAPING, SCREENING, AND TREE CANOPY COVERAGE

#### 1. Parking Lot Landscaping

- A. All parking lots shall include a landscaping strip along the entire perimeter of the parking lot of at least 5 feet in width. The landscaping strip may include breaks for bicycle, pedestrian, and vehicle access, and shall include the following:
  - i. One canopy or understory tree per 35 feet of linear footage; and
  - ii. Three large shrubs, which are of a type that are able to reach at least 3 feet in height within 3 years of planting, per 25 feet of linear footage.
- B. One interior landscaping island shall be provided for every ten parking spaces. If a lot has multiple interior landscaping islands, the interior landscaping islands must be evenly distributed throughout the parking lot.
- C. Each interior landscaping island must consist of a minimum of 200 square feet, a minimum width of 8 feet, at least one tree, and at least 4 large shrubs. No parking space shall be more than 70 feet away from the trunk of a shade or canopy tree.
- D. Parking rows must have terminal islands located at both ends of each row.
- E. Interior islands may be installed below the level of the parking lot surface to allow for stormwater runoff capture

graphic to be  
added in next  
draft

FIGURE 4.A  
Parking lot  
landscaping  
standards  
diagram.

## CURRENT CODE

### Sec. 17-67.1. - Dedication of sidewalks for single-lot development.

The developer of any lot shall dedicate land along the lot frontage for sidewalk, curb, and gutter improvements as shown on the adopted Town Pedestrian Plan. Dedication of such improvements shall be in accordance with the standards set forth in this Code.

### Sec. 17-67.2. - Completion and construction of sidewalks for single-lot development.

(a)The developer of any lot that fronts an existing street shall dedicate land, construct a sidewalk and connect such new sidewalk to the existing adjacent sidewalks, if any. Such new sidewalk shall be constructed in accordance with the standards set forth in this Code.

b)Upon application by the developer to the Town, the Town Council designates the Director of Public Works to waive in exceptional circumstances, in consultation with the Town Attorney and Town Manager, in his or her discretion, the construction of such new sidewalk and permit the deposit of designated funds for such construction in accordance with sections 17-65 and 17-65.1.

**LEGEND**

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Screening buffers are not required in the current code.

**2. Screening**

A. The following table sets forth the required screening width between properties:

PROPOSED USE	ABUTTING USE				
	Single Unit Detached (RS-10, RS-12.5, RS-16)	Duplexes, Townhouses, Cottage Courts, or Multi-Unit Attached(RMU)	Commercial or Mixed Use	Industrial	Public, Institutional, or Community Use
Duplexes, Townhouses, Cottage Courts, or Multi-Unit Attached(RMU)	10 ft. min.	5 ft. min.	10 ft. min.	20 ft. min.	5 ft. min.

B. When a screening buffer is required, a combination of understory trees, canopy trees, and shrubs shall be included along with a 6-foot-tall solid fence or masonry wall (no CMU) on the proposed development’s site along the property line as follows:

Specifications	5 ft. Buffer	10 ft. Buffer	20 ft. Buffer
Height of solid fence or wall	6 ft. min.	6 ft. min.	6 ft. min.
Canopy Trees (per 100 ft along shared lot lines)	Not required	3 min.	4 min.
Understory Trees (per 100 ft along shared lot lines)	4 min.	3 min.	3 min.
Shrubs	3 min.	4 min.	4 min.

- C. All plantings and trees must be permanently maintained in good growing condition and replaced with new plant materials, when necessary, to ensure continued compliance with applicable landscaping and/or buffer yard requirements.
- D. Required screening shall be maintained as shown on the approved site plan. Removal or replacement of screening, fences, and walls with a different material or design shall require an amendment of the site plan. See Article 8 Section 18-820 for application procedures.

## LEGEND

CURRENT CODE  
REFERENCE

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New text since last draft

### Article 4B. Development Standards – Multi-Unit Attached Residential Uses

17-15.1

#### 3. Minimum Tree Canopy Coverage

- A. A tree canopy coverage plan shall be submitted along with applications for the following projects:
- The development of an undeveloped tract;
  - The redevelopment of any existing tract by removal of a dwelling and replacement with a new dwelling; or
  - The addition to an existing dwelling that results in an area of disturbed soil exceeding 2,500 square feet.
- B. A tree canopy coverage plan shall illustrate how the site will, after a maturation of 20 years, achieve the tree canopy coverage of 15% minimum.
4. All planting and replacement of trees shall be in accordance with Section 17-15-1 and the Town of Vienna Tree Preservation and Planting Specifications Manual, which is available in hardcopy at the Department of Public Works and online available for download at [www.viennava.gov](http://www.viennava.gov).
5. Existing trees that are to be preserved, and with no citations having been issued by the Town of Vienna throughout the duration of the project, may be included in the plan to meet all or part of the canopy requirements if the site plan identifies such trees and the trees meet standards of desirability and life expectancy established by the Town. Town of Vienna staff will perform a minimum of two unannounced site inspections to determine compliance with tree protection and preservation regulations during construction.
6. The Town Council may grant reasonable exceptions or deviations from the requirements of this section when strict application of the requirements would result in unnecessary or unreasonable hardship to the developer, or to allow for reasonable development of the following:
- Areas devoid of woody materials.
  - Dedicated school sites.
  - Playing fields and other non-wooded areas and uses of a similar nature.
7. Violation of this section shall constitute a Class 3 misdemeanor punishable by fine of not more than \$250.00, and each day after the first during which such violation shall continue shall constitute a separate violation.

#### Section 18-457 MECHANICAL AND UTILITY EQUIPMENT

- All rooftop equipment (such as air handling units, exhaust fans, and other mechanical systems and equipment) shall be placed as close to the middle of the roof as possible, to maximize the likelihood that the equipment will not be visible from the right-of-way or from adjacent properties.
- All rooftop equipment on any building shall be fully screened from view from the right-of-way and adjacent properties by use of screening material that is consistent with the material found on the building façade.
- Mechanical equipment located on the ground should be screened, whenever possible, with fencing, walls, mural wraps, and/or landscaping.

## CURRENT CODE

### Sec. 17-15.1. - Planting and replacement of trees.

A. The preliminary plat required by this article shall be accompanied by a plan providing for the planting and replacement of trees on site during development to the extent that, at maturity of 20 years, minimum tree canopies or covers will be provided in the respective zoning districts of the Town as follows: 1. 20 percent tree canopy in the RS-16, RS-12.5 and RS-10 zones. 2. 15 percent in the RM-2 and RTH zones. 3. Ten percent tree canopy in the T, C-1, C-1A, C-2, CMP and CM zones. B. All trees planted shall meet the specifications of the American Association of Nurserymen and the Town shall maintain in writing a system for rating the desirability for planting of various tree species, which writing shall be available in the office of the director of public works. C. 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 Association Society of Landscape Architects, or the road and bridge specifications of the state department of transportation. D. Existing trees which are to be preserved as otherwise provided in this chapter may be included in the plan to meet all or part of the canopy requirements, and may include wooded preserves, if the site plan identifies such trees and the trees meet standards of desirability and life expectancy established by the Town. E. The Town Council may grant reasonable exceptions or deviations from the requirements of this section when strict application of the requirements would result in unnecessary or unreasonable hardship to the developer, or to allow for reasonable development of the following: 1. Areas devoid of woody materials. 2. Dedicated school sites. 3. Playing fields and other non-wooded recreation areas and uses of a similar nature. F. Violation of this section shall constitute a Class 3 misdemeanor punishable by fine of not more than \$250.00 and each day after the first during which such violation shall continue shall constitute a separate violation.

# LEGEND

CURRENT CODE REFERENCE

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New text since last draft

18-44

## Section 18-458 OPEN SPACE AND AMENITIES

1. Common open space, including any required screening, shall be conveyed to a non-profit corporation, organized and operated under the laws of the commonwealth.
  - A. The owner or developer shall present, with the site plan, a copy of the articles of incorporation of such corporation, its bylaws and an adequately financed plan with effectuating agreements and covenants acceptable to the Town assuring the development and maintenance of the common open space.
  - B. The membership of such nonprofit corporation shall consist of all the individual lot owners of the development.
2. The following describes and depicts acceptable types of open space for development. These types of open space may be combined.

### 1. Open Lawn Area

Open lawn areas are informal areas for passive use bounded by roads or front facing lots. Tree plantings can be informal and the topography irregular. Greens may be used to preserve specimen trees.



FIGURE 4.B Example open lawn area.

### 2. Playgrounds

Playgrounds shall be designed with commercial grade play equipment. Playgrounds must meet all federal, state, and local regulations and be compliant with the Americans with Disabilities Act.



FIGURE 4.C Example playground.

### 3. Gazebos and Other Shade Structures

Freestanding structures which are covered by a roof and open air on all four sides.



FIGURE 4.D Example gazebo.

### 4. Common Area/Courtyard

An open space that may be improved and landscaped and is usually surrounded by streets and buildings.

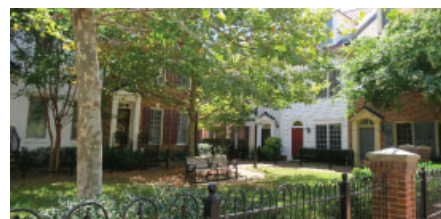


FIGURE 4.E Example courtyard.

### 5. Hardscaping and Landscaping

Hard surface areas located on the ground that consist of pavers, stone, or other natural materials, along with fountains, and mixed with landscape materials, such as shrubs, trees, and grasses.



FIGURE 4.F Example hardscaping and landscaping.

### 6. Outdoor Recreational Facilities

An area designed and equipped for the conducting of sports and leisure-time activities, such as pools and sport courts

### 7. Pet Areas

An area designed for pets to exercise and play off leash in a controlled environment under the supervision of their owners.

## CURRENT CODE

### Sec. 18-44. - General specifications.

#### D.Common spaces.

- 1.The common open space and any common parking lot, including any required screening, shall be conveyed to a nonprofit corporation, organized and operated under the laws of the commonwealth. The owner or developer shall present, with the site plan required by article 25 of this chapter, copies of the articles of incorporation of such corporation, its bylaws and an adequately financed plan with effectuating agreements and covenants acceptable to the Town assuring the development and maintenance of the common open space and common parking lots.
  - 2.All newly constructed common parking lots, roadways, streets and drives shall be constructed in accordance with the requirements as set forth in the document entitled "Town of Vienna, Virginia Construction Specifications and Construction Details" in effect upon the date of site plan approval.
  - 3.The membership of such nonprofit corporation shall consist of all the individual lot owners of the development.
- E.Common open space, excluding that contained in lots and streets, shall after development in accordance with the site plan, not be denuded, defaced or otherwise disturbed in any manner without the written approval of the Town Council. All common open space including, but not limited to, paved parking areas and driveways, shall be maintained in accordance with standards and regulations from time to time issued by the director of public works with the approval of the Town Council.

## LEGEND

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New text since last draft

The current code does not have lighting standards. The draft regulations proposed are based on information from other jurisdictions.

### Article 4B. Development Standards – Multi-Unit Attached Residential Uses

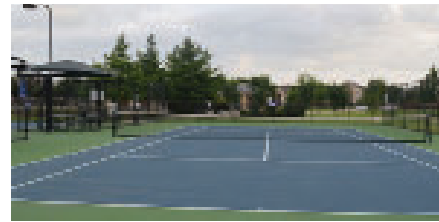


FIGURE 4.G  
Example  
outdoor  
recreation  
facility.



FIGURE 4.H  
Example pet  
area.

#### Section 18-459 OUTDOOR LIGHTING

1. The following outdoor lighting is prohibited:
  - A. Lasers, searchlights, strobe lights, and blinking lights, excluding temporary holiday lighting.
  - B. Light sources that exceed 200,000 lumens or an intensity in any direction of 2,000,000 candelas or more.
  - C. Linear strips or string lighting used to accentuate architectural features other than temporary holiday lighting.
  - D. Low-pressure sodium and mercury vapor light sources.
2. The following exterior lighting is exempt from the regulations of this ordinance:
  - A. Underwater lighting used for the illumination of swimming pools and fountains;
  - B. Temporary holiday lighting displayed for a period not exceeding 45 consecutive days;
  - C. Lighting required and regulated by the Federal Aviation Administration, or other authorized federal, state, or local government agency;
  - D. Emergency lighting used by police, fire, or medical personnel, or at their direction; and
  - E. Luminaires with 1,000 or less initial lumen output.
3. All lighting fixtures shall be full-cutoff fixtures and shall be mounted such that the cone of light is contained on-site and does not cross any property line of adjoining developments. The light source from any fixture shall be concealed and shall not be visible from any right-of-way.
4. Only incandescent, LED, fluorescent, metal halide, or color-corrected high-pressure sodium lighting sources may be used. The same light source type shall be used for the same or similar types of lighting on any one site throughout any development.
5. Maximum luminance levels shall not exceed 0.5 foot-candles at the property boundary.
6. Lighting on any property abutting a property that is zoned and developed for single-unit detached residential, vacant, or homeowner's association open space, including light poles located on top of any parking structure, must be either:
  - A. Mounted at a height measured from grade to the bottom of the light fixture, including the height of the parking structure when located on top of a parking structure, equal to or less than the value  $3 + (D/3)$ , where D is equal to the horizontal distance in feet from the light source to the nearest residential lot line extended vertically; or



## LEGEND

CURRENT CODE  
REFERENCE

CHANGE SINCE  
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- B. Equipped with supplemental opaque shielding on the residential property side of the lighting fixture to reduce glare caused by direct light source exposure.
- 7. Parking lot lighting shall comply with the following:
  - A. Parking lot lights shall be a maximum height of 10 feet.
  - B. Parking lot lights may be located in any yard.
  - C. Fixtures shall be mounted in such a manner that the cone of light is contained on-site and does not cross any property line.
- 8. Pedestrian light fixtures shall comply with the following:
  - A. Light fixtures for sidewalks, walkways, trails, and bicycle paths, shall provide at least 1.2 foot-candles of illumination, but not exceed 2.0 foot-candles.
  - B. Pedestrian bollard lamps shall be mounted no higher than four feet above grade and shall not exceed 900 lumens for any single lamp.
- 9. Outdoor lighting fixtures lawfully existing before \_\_\_\_\_, 2023, that do not conform to the provisions of this section are deemed to be a lawful nonconforming use and may remain. Whenever a nonconforming lighting fixture is replaced, the new fixture must conform to the provisions of this section.
- 10. To ensure compliance with the standards of this section, a lighting plan demonstrating how exterior lighting will comply with the standards of this section shall be included as part of every development approval application that includes changes to or additions of lighting fixtures.
- 11. The Zoning Administrator may require evidence that the applicant is able to conform to the standards of this section. The Zoning Administrator may require the applicant to submit, at the expense of the applicant, reports or the certified results of tests with respect to any current or proposed operation of the use that is involved in relation to conformity to such standards, which reports or test must be made by a competent laboratory or other agency.

18-153

### Section 18-460 OVERNIGHT PARKING OF COMMERCIAL VEHICLES

1. For the purposes of this section, the term “commercial vehicle” shall include the following:
  - A. Any solid waste collection vehicle, tractor truck, tractor truck/semitrailer, tractor truck/trailer combination, dump truck, concrete mixer truck, towing and recovery vehicle with a registered gross weight of 12,000 pounds or more, and any heavy construction equipment;
  - B. Any trailer, semitrailer, or other vehicle in which food or beverage are stored or sold;
  - C. Any trailer or semitrailer used for transporting landscaping or lawn-care equipment, and whether or not such trailer or semitrailer is attached to another vehicle;
  - D. Any vehicle licensed by the commonwealth for use as a common contract carrier or as a limousine.
2. It shall be unlawful to park any commercial vehicle in any residential zone of the Town for more than one hour in any 24-hour period, except that not more than one such vehicle which does not exceed 20,000 pounds gross weight may be parked overnight and on Saturdays, Sundays, and holidays on the property owned or leased by the vehicle owner or custodian; provided that while so parked, such vehicle shall

### CURRENT CODE

#### Sec. 18-153. - Overnight parking of commercial vehicle in residential zone.

A. General prohibition; time limits; exceptions. 1. It shall be unlawful to park any commercial vehicle in any residential zone of the Town for more than one hour in any 24-hour period, except that not more than one such vehicle which does not exceed 20,000 pounds gross weight may be parked overnight and on Saturdays, Sundays and holidays off street on the property owned or leased by the vehicle owner or custodian; provided that while so parked, such vehicle shall not be moved or operated at any time to further any profit-making business or professional enterprise, and further provided that while so parked between the hours of 7:00 p.m. and 5:00 a.m., such vehicle shall not be operated nor its engine run for any purpose whatsoever, nor may such vehicle be driven from the parked location between the hours of 7:00 p.m. and 5:00 a.m. 2. The provisions of this section, however, shall not apply to any vehicle or vehicles designed or used to haul garbage, trash, refuse or wastes of any type, the parking or storage of the same on street or off street in any residential zone being hereby strictly prohibited at any and all times of day or night. 3. The restrictions, prohibitions, and limitations imposed by this section shall not apply to any vehicle, or vehicles, owned or used by the Town in furtherance of its municipal purposes when such vehicles are parked on Town-owned property. B. Notwithstanding the provisions of subsection A of this section, any such vehicle may be parked on a residential street for more than one hour while actually being loaded or unloaded or while the custodian of any such vehicle is actively performing services in the area or for the occupants of a residence abutting the street on which the vehicle is parked and the residence is not that of the custodian of such vehicle.

# LEGEND

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## CURRENT CODE

### Sec. 18-130.1. - Accessible parking spaces.

Accessible parking spaces shall be provided in off-street parking facilities as required by the most recent American Disabilities Act (ADA) Standards for Accessible Design.

## Article 4B. Development Standards – Multi-Unit Attached Residential Uses

not be moved or operated at any time to further any profit-making business or professional enterprise, and further provided that while so parked between the hours of 7:00 p.m. and 5:00 a.m., such vehicle shall not be operated nor its engine run for any purpose whatsoever, nor may such vehicle be driven from the parked location between the hours of 7:00 p.m. and 5:00 a.m.

3. Notwithstanding the provisions of this section, any such vehicle may be parked on a residential street for more than one hour while actually being loaded or unloaded or while the custodian of any such vehicle is actively performing services in the area or for the occupants of a residence abutting the street on which the vehicle is parked and the residence is not that of the custodian of such vehicle.
4. The provisions of this section shall not apply to any waste collection vehicle(s) or the parking or storage of the same on street or off street in any residential zone being hereby strictly prohibited at any and all times of day or night.
5. The restrictions, prohibitions, and limitations imposed by this section shall not apply to any vehicle, or vehicles owned or used by the Town in furtherance of its municipal purposes when such vehicles are parked on Town-owned property.
6. It shall be unlawful to park, or to permit to be parked, or to be left standing in areas zoned for residential use, any commercial vehicle as defined herein except when such commercial vehicle is being used to pick up or discharge passengers or when temporarily parked pursuant to the performance of work or service at a particular location.

### Section 18-461 PARKING AND LOADING

1. Required off-street parking for properties located in the RMU zone may be located in any of the following or a combination thereof:
  - A. On a private driveway
  - B. In a private carport or garage
  - C. In a shared parking facility, including surface lot or parking structure located on the same site as the principal structures.
2. Off-site parking agreements are not permitted for RMU-zoned properties.
3. Parking shall not overflow out of designated parking spaces into any sidewalks, landscaping, open space, streets, or required setbacks.
4. Accessible parking spaces shall be provided in off-street parking facilities as required by American Disabilities Act (ADA) Standards for Accessible Design.
5. All parking areas shall be provided with bumper guards, as deemed necessary by the Director of Public Works, in order to:
  - A. protect buildings from vehicular bumpers,
  - B. protect public sidewalks from overhanging bumpers,
  - C. prevent vehicles from rolling down embankments or onto adjacent property, and
  - D. provide protection against other hazards peculiar to the topography or site development of a particular parcel of ground.

18-130.1

18-134.B

## CURRENT CODE

### Sec. 18-134. - Improvements applicable to parking areas and loading spaces.

A. All private or public parking areas and loading spaces constructed, excluding regular maintenance, after the effective date of the original ordinance from which this section is derived shall be developed as follows:

B. All parking areas in the townhouse, two-family, multiple-family residential, commercial and industrial zoning districts shall be constructed of permanent materials, with an asphalt or concrete surface, meeting the specifications of the Town. Ingress and egress to a public street shall be provided by means of entrances and exits meeting these same specifications and maintaining a width of not less than 25 feet nor more than 35 feet at street right-of-way line. All parking areas shall also be provided with bumper guards as deemed necessary by the director of public works in order to protect a building from vehicular bumpers, or a public sidewalk from overhanging bumpers, to prevent vehicles from rolling down embankments or onto adjacent property, or to provide protection against other hazards peculiar to the topography or site development of a particular parcel of ground. Curb stops may be substituted for bumper guards where their use is considered adequate by the director of public works.

C. Whenever any such private or public parking lot abuts or adjoins any public street, a landscaping strip at least five feet in width, continuous except for entrances and exits, shall be provided immediately inside the line separating such parking lot from the adjoining street.

D. Per sections 18-256 and 18-257, any request for modifications of the requirements applicable to parking areas and loading spaces listed under subsections 18-134.B, and 18-134.C must be approved by council, after receiving recommendation from the planning commission.

**LEGEND**

CURRENT CODE REFERENCE

CHANGE SINCE LAST DRAFT

New text since last draft

18-134.D

18-131

18-128.1

18-128

18-134.B

- 6. Required parking for all principal and accessory uses must be maintained at all times, consistent with all site plans and permits.
- 7. Any request for modifications of the requirements applicable to parking areas and loading spaces must be approved by Council, after receiving recommendation from the Planning Commission. See Article 8 Section 18-820 for application and procedures.
- 8. **Setbacks**
  - A. No private parking area or garage on a corner lot shall be constructed beyond the building line of any adjoining lot, nor be located nearer than five feet to the sideline of such adjoining lot.
  - B. All automobile parking areas must be set back five feet from side yard property lines.
- 9. **Space Allocation for Parking and Measurement**
  - A. All garage or other permissible space allocated for the parking of vehicles within buildings or in basements or on the roofs of buildings, shall be considered part of the required off-street parking requirements.
  - 18-128.1 B. For purposes of computation under this Chapter, one compact automobile parking space shall be eight feet wide by 16 feet long. Other dimensions are provided in the table below.
  - 18-128 C. All off-street parking spaces and adjacent aisles provided in compliance with the requirements of this article shall at least conform to the following minimum dimensions:

Minimum Standard Parking Spaces and Aisle Width Dimensions			
A. Parking Angle (degrees)	B. Stall Width (in feet)	C. Stall Length (in feet)	D. Aisle Width, One-way/Two-way (in feet)
0 (parallel)	8	22	16/22
45	9	19	16/20
60	9	20	18/20
90	9	18	23/23

A - Parking Angle B - Stall Width  
C - Stall Length D - Aisle Width

**10. Required Surface Treatment/Paving**

- A. All driveway and parking areas shall be constructed of permanent materials, with an asphalt, concrete, or grid paver surface, meeting the specifications of the Town.
- B. Other permeable surfaces that are permanent may be proposed but are subject to the approval of the Zoning Administrator and the Director of Public Works.
- C. Gravel or grass shall not be permitted surface treatments used for parking.

**CURRENT CODE**

**Sec. 18-131 Location of parking facilities.**

There shall be no parking between the building setback line and the street line within the C-1, C-1A, C-2, and C-M zoning districts, and as set forth in section 18-101 for the CMP zoning district; **nor within five feet of the side yard property lines within the RM-2, RTH, C-1, C-1A, C-2 and C-M zoning districts.**

**Sec. 18-128. - Dimensions of off-street parking spaces and aisles.**

All off-street parking spaces and adjacent aisles provided in compliance with the requirements of this article for non-single family detached residential lots shall at least conform to the following minimum dimensions:

A. Parking Angle (degrees)	B. Stall Width (in feet)	C. Stall Length (in feet)	D. Aisle Width, One-way/Two-way (in feet)
0 (parallel)	8	22	16/22
45	9	19	16/20
60	9	20	18/20
90	9	18	23/23

**Sec. 18-128.1. - Compact parking spaces.**

For purposes of computation under this chapter, one compact automobile parking space shall be eight feet wide by 16 feet long.

**Sec. 18-134. - Improvements applicable to parking areas and loading spaces.**

B.All parking areas in the townhouse, two-family, multiple-family residential, commercial and industrial zoning districts shall be constructed of permanent materials, with an asphalt or concrete surface, meeting the specifications of the Town. Ingress and egress to a public street shall be provided by means of entrances and exits meeting these same specifications and maintaining a width of not less than 25 feet nor more than 35 feet at street right-of-way line. All parking areas shall also be provided with bumper guards as deemed necessary by the director of public works in order to protect a building from vehicular bumpers, or a public sidewalk from overhanging bumpers, to prevent vehicles from rolling down embankments or onto adjacent property, or to provide protection against other hazards peculiar to the topography or site development of a particular parcel of ground. Curb stops may be substituted for bumper guards where their use is considered adequate by the director of public works.

**LEGEND**

CURRENT CODE REFERENCE

CHANGE SINCE LAST DRAFT

New text since last draft

Current code does not regulate the number of loading spaces by use. The code regulates how wide the spaces should be based on the size of the principal structure. Current codes in other jurisdictions base loading regulations on uses. Draft loading regulations for RMU zone are based on review of other zoning codes and current Town Code that does not require loading for townhouses or duplexes.

18-134.B

**11. Minimum and Maximum Entrance and Exit Widths**

Ingress and egress to a public street shall be provided by means of entrances and exits meeting these same specifications and maintaining a width of not less than 25 feet nor more than 35 feet at street right-of-way line.

18-130

**12. Minimum Off-street Parking Required:**

PROPOSED STRUCTURES	Minimum Required Off-street Parking Spaces	Notes/Additional Requirements
Two-Unit Attached Dwellings/ Duplexes	2 spaces per dwelling unit	Plus 1 space per 5 dwelling units for visitor parking
Townhouses		
Cottage Courts		
Multi-Unit Dwellings	Efficiency: 1 space per dwelling unit	
	One bedroom: 1.5 spaces per dwelling unit	
	Two or more bedrooms: 2 spaces per dwelling unit	

**14. Private Parking Standards**

- A. Private ingress and egress to a public street shall maintain a width of not less than 12 nor more than 25 feet at the street right-of-way line.
- B. A width of at least 12 feet shall be maintained for the length of any private driveways.
- C. The width of the driveway shall meet the width of the garage opening for a minimum of 18 feet from the garage.

**15. Loading areas shall meet the following standards:**

18-132

- A. One loading space per 50 dwelling units is required for multi-unit residential developments. Loading spaces are not required for duplex, townhouse, or cottage court developments.
- B. Required dimensions of loading space:
  - i. Minimum 25 feet in depth;
  - ii. Minimum 15 feet in width ;
  - iii. Minimum 15 feet in height, if located within a building.
- C. All required off-street loading spaces must be located on the same lot as the use served.
- D. When an existing structure or use is expanded, accessory off-street loading spaces must be provided in accordance with the minimum requirements for the entire structure or use, as expanded or enlarged.

**CURRENT CODE**

**Sec. 18-132. - Loading space.**

Every hospital, institution, commercial or industrial building hereafter erected shall provide indoor or outdoor space for the loading and unloading of goods and materials. **Such space shall be at least 25 feet in depth; such space, if located within a building, shall be at least 15 feet in height; such space also shall have a width of at least 15 feet for every 50 feet or fraction thereof of building width.**

**Sec. 18-130. - Requirements.**

Off-street parking space(s) shall be provided as follows:  
 Townhouses and two-family dwelling - 2 spaces per dwelling unit, Plus 1 space per 5 dwelling units for visitor parking.  
 Multiple family residential dwelling units (excluding townhouses), efficiency units - 1 space per dwelling unit  
 Multiple family residential dwelling units (excluding townhouses), one bedroom - 1.5 spaces per dwelling unit  
 Multiple family residential dwelling units (excluding townhouses), two or more bedrooms - 2 spaces per dwelling unit

**Sec. 18-134. - Improvements applicable to parking areas and loading spaces.**

B.All parking areas in the townhouse, two-family, multiple-family residential, commercial and industrial zoning districts shall be constructed of permanent materials, with an asphalt or concrete surface, meeting the specifications of the Town. Ingress and egress to a public street shall be provided by means of entrances and exits meeting these same specifications and maintaining a width of not less than 25 feet nor more than 35 feet at street right-of-way line. All parking areas shall also be provided with bumper guards as deemed necessary by the director of public works in order to protect a building from vehicular bumpers, or a public sidewalk from overhanging bumpers, to prevent vehicles from rolling down embankments or onto adjacent property, or to provide protection against other hazards peculiar to the topography or site development of a particular parcel of ground. Curb stops may be substituted for bumper guards where their use is considered adequate by the director of public works.

## LEGEND

CURRENT CODE  
REFERENCE

CHANGE SINCE  
LAST DRAFT

New text since last draft

The current code does not have bicycle parking standards.

Draft bicycle parking standards proposed from Falls Church bicycle parking requirements.

## CURRENT CODE

### Sec. 18-133. - Loading space in rear yard.

A loading space may occupy a required rear yard or any part thereof.

- E. Loading spaces may not be located in a required front setback.
- F. Required off-street loading areas may not be used to satisfy the space requirement for any off-street parking facilities.
- G. Loading areas must not interfere with the free circulation of vehicles in any off-street parking area.

## 16. Bicycle Parking

- A. Minimum bicycle parking required for multi-unit developments is 3 racks (6 spaces) for every 2.5 dwelling units for residents plus 3 racks (6 spaces) per 50 dwelling units for short-term visitor parking.
- B. Both short-term and long-term bicycle parking shall be located in visible, well-illuminated areas that do not impede or conflict with automobile, pedestrian, or bicycle traffic.
- C. Short-term bicycle racks shall comply with the following:
  - i. Short-term racks shall be inverted “U” bicycle racks or circular bicycle racks.
  - ii. Bicycle racks that are located parallel to each other shall be at least 3 feet apart and shall allow bicycles to be locked on both sides without conflict.
  - iii. Bicycle racks that are located in a linear configuration shall be at least 5 feet apart.
  - iv. Bicycle racks shall be securely anchored and shall be easily usable with u-locks and cables.
  - v. Bicycle racks shall be spaced at least 2 feet from walls, curbs, pavement edges, or other structures.
- D. Long-term bicycle racks shall comply with the following:
  - i. Long-term bicycle racks shall be covered and weather resistant.
  - ii. Long-term bicycle racks may include, but are not limited to, covered bicycle racks that meet the standards of short-term bicycle racks; or bicycle lockers or bicycle racks that meet the standards of short-term bicycle racks and are located within a parking structure or other enclosed structure.
  - iii. Bicycle lockers shall be anchored in place and have an opening clearance of at least 5 feet.
  - iv. Long-term bicycle racks must be located no more than 100 feet from the building entrance that the bicycle rack is intended to serve.

# LEGEND

CURRENT CODE REFERENCE

CHANGE SINCE LAST DRAFT

New text since last draft

Refuse disposal section added to the zoning chapter to aid in enforcement. Refuse standards are currently located in Chapter 13 and 13A.

## Article 4B. Development Standards – Multi-Unit Attached Residential Uses

### Section 18-462 REFUSE DISPOSAL

1. Refuse collection may be handled by shared refuse collection from approved containers within an approved structure or private collection from individual units.
2. If dumpsters are used for refuse disposal, then each dumpster shall be located on a concrete pad with minimum dimensions of 20 feet by 12 feet and shall be enclosed by adequate walls or opaque fencing of a minimum of one foot taller than the container, and no taller than 8 feet.
3. No enclosure may be located in any required front yard, street side yard, required parking area, required landscaping area, or any other area required by law to be maintained.
4. The enclosure may consist of a solid wood fence, masonry (non-CMU) walls, or combination thereof.
5. Said areas shall protect refuse from dispersal by wind or other cause, must be kept free of litter and refuse overflow, shall be maintained closed except when loading or emptying, and shall be well drained.
6. Refuse disposal areas shall be located such that access is unobstructed and the areas are fully accessible to collection equipment, to public health inspection, and to fire inspection personnel without impeding traffic or encroaching upon required parking spaces.
7. Reference Chapter 13A for additional requirements for refuse storage and collection.

### 18-159 Section 18-463 SIGHT TRIANGLE

On any corner lot there shall be no fences, walls, structure, planting, shrubbery, or obstruction to vision more than three feet above the curb level within 25 feet of the intersection of any two street lines.

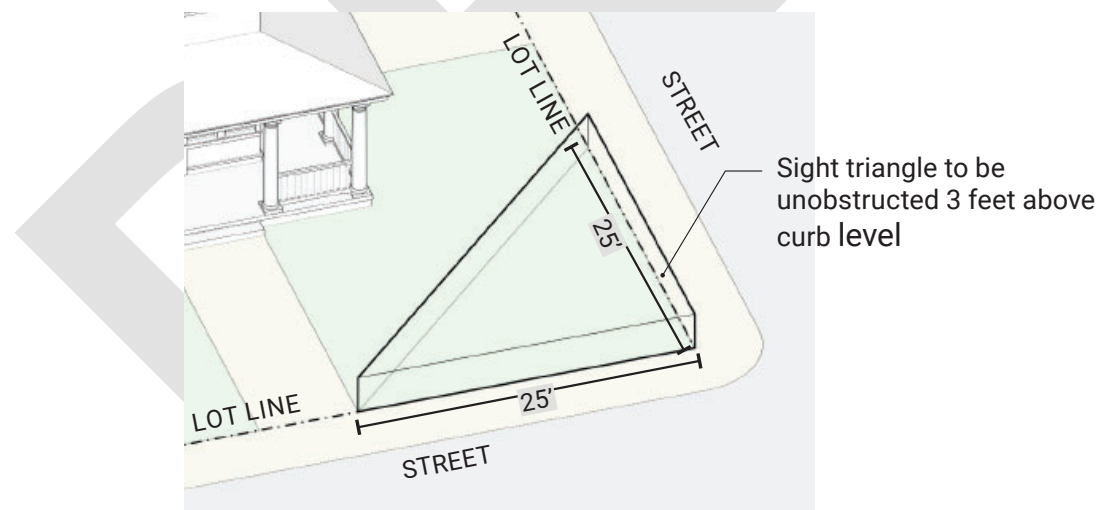


FIGURE 4.1  
Illustration of sight triangle at the intersection of two streets in a residential zone or district.

### CURRENT CODE Sec. 18-159. - Obstruction to vision at corner, residential zone prohibited.

On any corner lot in a residential zone there shall be no planting, structure, fences, shrubbery, or obstruction to vision more than three feet above the curb level within 25 feet of the intersection of any two street lines.

# LEGEND

CURRENT CODE  
REFERENCE

CHANGE SINCE  
LAST DRAFT

New text since last draft

## Section 18-464 SIGNS

### 1. Applicability

- A. Any object, letter, figure, design, symbol, artistic display, trademark, flag (excluding federal, state and local flags), illumination of other device intended to call attention to or identify or give direction to any place, subject, person, firm, business, public performance, article, machine or merchandise visible from the exterior of a business, with an area of 1.5 square feet or greater shall be considered a sign, for which the below standards are applicable.
- B. These regulations do not regulate or restrict signs by content. However, some signs, such as off-premises signs and warning signs, have a targeted function that makes their regulation impossible without referring to the function. In these limited instances, the governmental interest is compelling enough to warrant their description and regulation; and whenever a sign is described in a manner that refers to function, this Article is intended to be neutral with respect to the content of the speech appearing on it.

18-177

### 2. 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.

### 3. How to Measure Sign Area and Dimensions

- A. Sign Area. For temporary or permanent signs on a background or window, whether free-standing or wall-mounted, the entire area of the framework or background of the sign is calculated as the sign area. The sign area includes the area of any material or color that is used to differentiate the sign from the sign structure against which it is placed.

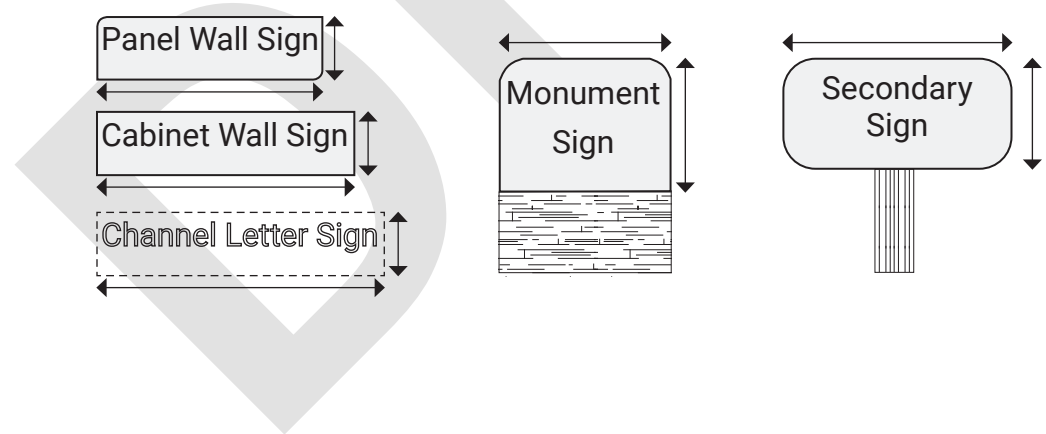


FIGURE 4.J  
Sign area  
diagrams.

## CURRENT CODE

### Sec. 18-177. - Signs not requiring a permit.

- Signs not requiring a permit shall include the following:
- 1. Signs not exceeding 1.5 square feet in area, and not otherwise prohibited by section 18-178. Any sign over 1.5 square feet and not otherwise prohibited by section 18-178 shall require a permit as specified in section 18-176.
  - 2. Bulletin boards. One white lighted bulletin board is permitted, not exceeding 18 square feet in area for nonprofit organizations.
  - 3. Residential nameplate. One residential nameplate for each dwelling unit shall be permitted not exceeding 1.5 square feet in area. Such sign may be at but not project over any street sign.
  - 4. Temporary window and yard signs provided they meet the following standards (see Note 1):

## LEGEND

CURRENT CODE  
REFERENCE

CHANGE SINCE  
LAST DRAFT

New text since last draft

### Article 4B. Development Standards – Multi-Unit Attached Residential Uses

- B. Sign Height. Sign height is measured by the difference in height between the elevation of the established or proposed grade level beneath the base of the sign and the elevation or point of the uppermost extremity of the sign structure.

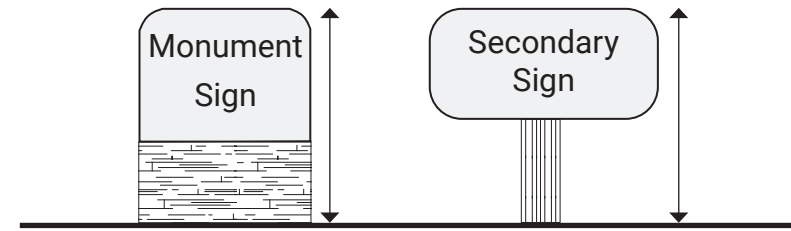


FIGURE 4.K  
Sign height  
diagram.

- C. Supports, uprights or structure on which any sign is supported shall not be included in determining the sign area unless such supports, uprights or structure are designed in such a way as to form an integral background of the display.
- D. When a sign is placed on a fence, wall, planter, or other similar structure that is designed to serve a separate purpose other than to support the sign, the entire area of such structure shall not be included in the sign area computation.
- E. Double-sided signage. The sign area shall be computed by the measurement of one of the faces of a double-sided sign when two sign faces that are part of the same sign structure are 1) placed back-to-back, so that both faces cannot be viewed from any one point at the same time, 2) are not more than 24 inches apart at their furthest distance from each other, and 3) are not more than 45 degrees at the point of intersection.

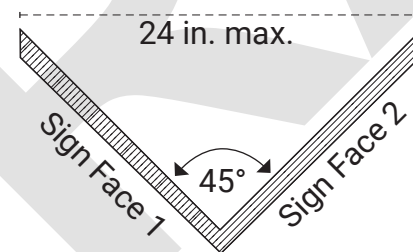


FIGURE 4.L  
Double-sided  
sign diagram.

#### 4. 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.



**LEGEND**

CURRENT CODE  
REFERENCE

CHANGE SINCE  
LAST DRAFT

New text since last draft

18-178

**5. Sign Illumination.**

- A. All lighting for signs, both ground and building mounted, shall be provided by an external source that is shielded and directed so that only the face of the sign is illuminated.
- B. No building mounted signs may be illuminated if they are located within 50 feet of a property line adjoining a property zoned RS-10, RS-12.5 or RS-16 or a public alley that separates the proposed building from those zones.

**6. Sign Setbacks**

- A. All ground-mounted sign structures must be set back from the right-of-way a minimum distance equal to the sign height.
- B. Signs must meet the height restrictions of Section 18-560 Sight Triangle.

**7. Certificate of Appropriateness Required**

- A. 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 Section 18-807 for review procedure.
- B. Signs exempted from review by the Board of Architectural Review:
  - i. Signs that meet the requirements of a Master Sign Plan that has previously been approved by the Board of Architectural Review, and
  - ii. Temporary signs, as described in Section 18-564.

**8. Prohibited Signs**

The following signs are prohibited in all zones and districts.

- A. 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).
- B. Signs that are a public nuisance for, without limitation, reasons of amplified sound, smoke, vapor, particle emission or objectionable odors.
- C. Moving or rotating signs, flags, pennants, streamers, balloons, or similar devices that involve motion or rotation of any part or display.
- D. 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.
- E. Any exposed-tubing lighting arrangement.
- F. 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.
- G. Signs that contain words, pictures, or statements that are obscene.
- H. Signs placed in the right-of-way without the expressed consent of the Town. See Town Code Section Sec. 10-28.1.

**CURRENT CODE**

**Sec. 18-178. - Prohibited signs and sign structures.**

- A. Signs prohibited by this article include:
1. Signs and/or sign structures, except temporary signs, which are erected on any property without the express written permission of the property owner or his authorized agents.
  2. Signs which are a public nuisance because of amplified sound, smoke, vapor, particle emission or objectionable odors.
  3. Signs and/or sign structures which violate the visibility provisions of this article.
  4. Signs on roof prohibited. Signs of any type shall not be erected upon the roof of any building, except on the sides of a mansard-type roof.
  5. Billboards prohibited. Billboards are hereby prohibited in the Town.
  6. Moving or rotating signs and pennants, banners, streamers, etc., are prohibited. Signs which involve motion or rotation of any part, or display flashing or intermittent lights are prohibited. Standards, banners, flags, streamers, and similar devices used for advertising purposes are prohibited, unless provided by the zoning administrator for not more than 30 days. Sponsorship banners at facilities where recreational uses occur, as defined in this there is alternately displayed by changing light patterns the time, temperature and date, provided:
    - a. Neither time, temperature nor date is otherwise displayed on or about the building or structure served by such sign.
    - b. The changing light patterns are restricted to the time, temperature and date portion of the sign only.
    - c. A series of separate, white, incandescent bulbs and no other device is used to create those characters comprising the time, temperature and date legend.
    - d. The said portion of the sign be completely extinguished at any time as any of the said legends should inaccurately display the proper time, temperature or date, any of the incandescent bulbs fail to light, or the sign is otherwise not fully functional or in proper operational condition.
  7. All signs and sign structures which are erected after the adoption of the ordinance from which this article is derived and which do not comply with the provisions of the article shall be deemed prohibited signs, subject to removal. Signs approved by the Board of Architectural Review, but not erected prior to this article shall not be subject to removal.
  8. Signs or sign structures, the permits for which have been revoked.
  9. Any exposed-tubing lighting arrangement, except that:
    - a. Any business establishment may have one or more signs with a total area not to exceed 1½ square feet. Signs of more than 1½ 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 with a public entrance and all of its parking in the rear of its building may have, in addition to the lighting permitted under subsection A.9.a of this section, one exposed-tubing lighting arrangement not exceeding one and one-half square feet in total area located in a rear-facing display window or public entrance.
  10. Telephone and facsimile numbers, Internet and electronic mail addresses: the use of telephone numbers, facsimile numbers, Internet addresses or electronic mail addresses on a permanent wall and freestanding signs can be distracting to motorists and thereby create a hazardous situation. Therefore, telephone numbers, facsimile numbers, Internet addresses, and electronic mail addresses may not be displayed on such signs, either jointly or individually, except when required by federal, state, or local law. Evidence of such requirement must be submitted with any application for a sign permit containing a telephone or facsimile number, or an Internet or electronic mail address.

# LEGEND

CURRENT CODE  
REFERENCE

CHANGE SINCE  
LAST DRAFT

New text since last draft

## Article 4B. Development Standards – Multi-Unit Attached Residential Uses

### 9. Removal of Unsafe, Unlawful, or Abandoned Signs

- A. Within 30 days of the date of written notice by the Town, the owner, person, or firm maintaining a sign shall correct violations when a sign becomes unsafe, is in danger of falling, is determined by the Town to be a nuisance in accordance with Town of Vienna Code Sec. 10-20 – Nuisances, is deemed unsafe by the Town, or it is unlawfully erected in violation of any of the provisions of this article. Necessary actions to correct violations may require making repairs or removing the sign. The Town may require immediate removal of a sign if its condition poses an imminent danger.
- B. If the owner of the person or firm maintaining the sign has not complied with the terms of said notice within 30 days of the date of the notice, the Town may remove or cause to be removed the sign at the expense of the property owner or authorized agent. In the event of immediate danger, the Town may remove the sign immediately without advance notice.
- C. 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.

### 10. Permanent Sign Standards

18-182.1  
18-183

- A. The total maximum aggregate sign area permitted in RMU zones is as follows:
  - i. Ground-mounted signs: 24 square feet
  - ii. Building-mounted signs: 24 square feet
- B. The maximum height of ground-mounted signs in RMU zones is 4 feet.
- C. **Ground-mounted Sign Types and Standards**
  - i. Monument
    - a. Ground-mounted signage over 10 square feet.
    - b. Monument signs may have a closed or open base with two posts. No single post pylons are permitted for this sign type.
    - c. Monument signs may be two-sided.
    - d. There is no count limit for monument signs in RMU zones.
  - ii. Secondary
    - a. Ground-mounted signage between 1.5 and 9.9 square feet.
    - b. May be single or double pylon, hanging or monument style signs.
    - c. Secondary signs may be two-sided.
    - d. There is no count limit for monument signs in the RMU zone.

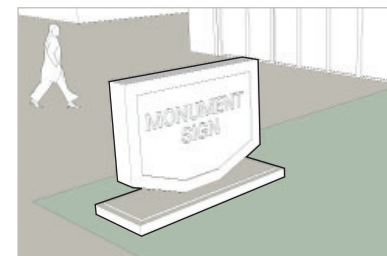


FIGURE 4.M  
Monument  
sign example

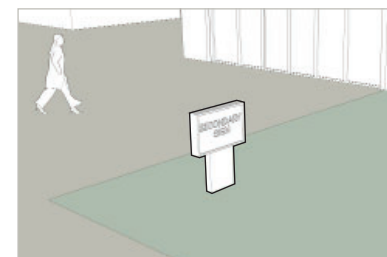


FIGURE 4.N  
Secondary  
sign  
example

The previous draft of Article 5 had sign areas and counts separated by zones and districts and in tables for each. This article regulates only the RMU zone so those numbers were incorporated with the sign descriptions.

## CURRENT CODE

**Sec. 18-179. - Structural requirements; maintenance and illumination.**

D.A sign illumination shall be by means of internal light sources or by external, shielded light sources.

**Sec. 18-182.1. - Permitted signs in RTH zones.**

One freestanding sign not exceeding a maximum of 24 square feet and the maximum height of the sign or structure shall be no more than six feet above average grade, identifying by name a townhouse subdivision as the same appears on that subdivision plat previously approved by the Town Council and recorded among the land records of the county. Such identification sign shall be set back a minimum of ten feet from the street line. All sign illumination shall be by means of external, shielded light sources.

**Sec. 18-183. - Permitted signs in RM-2 multifamily zones.**

The following signs are also permitted in the RM-2 zone:  
A. One identification sign, not to exceed three square feet for boarding[houses] and roominghouses.

B. One white-lighted identification sign (excluding illuminated signs of the flashing or animated types), not to exceed 12 square feet for multiple dwellings and principal offices of professions.

# LEGEND

CURRENT CODE REFERENCE

CHANGE SINCE LAST DRAFT

New text since last draft

The previous draft of Article 5 had sign areas and counts separated by zones and districts and in tables for each. This article regulates only the RMU zone so those numbers were incorporated with the sign descriptions.

- iii. Freestanding Hanging
  - a. Hanging signage panels must be affixed to the stanchion with chain links or other permanent materials.
  - b. Freestanding hanging signs may be two-sided.
  - c. One free-standing hanging sign is permitted per entrance in the RMU zone.

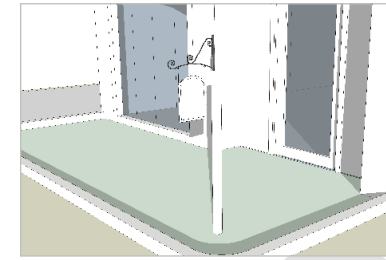


FIGURE 4.S Freestanding hanging sign example

### D. Building-mounted Sign Types and Standards

- i. Wall Signs
  - a. Wall mounted signage exceeding 10 square feet
  - b. All signs must be permanently affixed parallel to the building surface for which its mounted
  - c. There is no count limit for wall signs in the RMU zone.

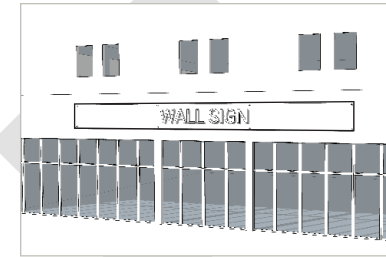


FIGURE 4.O Wall sign example

- ii. Wall Sign, Minor
  - a. Wall mounted signage between 1.5 and 9.9 square feet
  - b. All signs must be permanently affixed parallel to the building surface for which its mounted
  - c. There is no count limit for minor wall signs in the RMU zone.



FIGURE 4.P Wall sign, minor example

- iii. Projecting, Minor
  - a. Signs oriented perpendicular from the façade of the building for which they are mounted.
  - b. Projecting signs between 1.5 and 14.9 square feet in area.
  - c. One minor projecting sign is permitted per building frontage.



FIGURE 4.Q Projecting, minor sign example

- iv. Awning
  - a. The lowest point of an awning may not be closer than 8 feet to the grade below the awning.
  - b. Signage and imagery may be located on the valance, face or sides of the awning fabric.
  - c. One awning sign is permitted per building frontage.

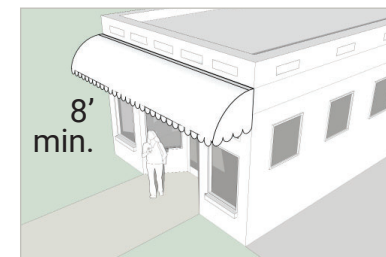


FIGURE 4.R Awning example

**LEGEND**

CURRENT CODE  
REFERENCE

CHANGE SINCE  
LAST DRAFT

New text since last draft

**11. Temporary Sign Standards**

Temporary window and yard signs are permitted provided they meet the following standards:

Type of Sign	Maximum Size	Maximum Duration
Window signs	25% of total area of single window	Unlimited
Yard Signs	Per Sign: 4 square feet Total Sign Area: 24 square feet	60 days

12. Signs not exceeding 1.5 square feet in area are exempt from these regulations.

Sign chart and regulations simplified.

18-172.1

**Section 18-465 UNDERGROUND UTILITY SERVICES**

- All utility services including, but not limited to, all wires, cables, pipes, conduits, and appurtenant equipment carrying or used in connection with the furnishing of electric power, telephone, telegraph, cable television, petroleum, gas, steam, water or sewer systems shall, after the effective date of the ordinance from which this section is derived, be placed below the surface of the ground; provided that:
  - Equipment such as electric distribution transformers, switchgear, meter pedestals, and telephone pedestals, which are normally installed above ground in accordance with accepted utility practices for underground distribution systems, may be so installed; and
  - Meters, service connections, and similar equipment normally attached to the outside wall of the premises it serves may continue to be so installed.
- Existing overhead utility services to any building, accessory building, or structure erected prior to the effective date of the ordinance from which this section is derived may remain overhead when repaired, replaced, or increased in capacity.
- All improvements herein required shall be constructed in accordance with accepted standards of utility practice for underground construction.
- Whenever relocation of utility facilities is compelled by any construction undertaken by any unit of government, the provisions of this section may be waived by the Town Council

**CURRENT CODE**

**Sec. 18-172.1. - Underground utility services.**

A.All utility services, including, but not limited to, all wires, cables, pipes, conduits and appurtenant equipment, carrying or used in connection with the furnishing of electric power, telephone, telegraph, cable television, petroleum, gas, steam, water or sewer systems, shall, after the effective date of the ordinance from which this section is derived, be placed below the surface of the ground; provided that:(a)Equipment such as electric distribution transformers, switchgear, meter pedestals, and telephone pedestals, which is normally installed above ground in accordance with accepted utility practices for underground distribution systems, may be so installed; (b)Meters, service connections, and similar equipment normally attached to the outside wall of the premises it serves may continue to be so installed; and(c)Existing overhead utility services to any building, accessory building, or structure erected prior to the effective date of the ordinance from which this section is derived may remain overhead when repaired, replaced, or increased in capacity.

B.All improvements herein required shall be constructed in accordance with accepted standards of utility practice for underground construction.

C.Whenever relocation of utility facilities is compelled by any construction undertaken by any unit of government, the provisions of this section may be waived by the Town Council.

**CURRENT CODE**

Type of Sign	Maximum Size	Maximum Duration
Window signs	25% of total area of single window	Unlimited
Yard signs	Maximum total sign area of 12 square feet with maximum 4 square feet for any single sign	Unlimited
Yard signs, short duration	Maximum total sign area of 21 square feet with maximum 4 square feet for any single sign	60 days
Yard signs, limited duration	Maximum total sign area of 54 square feet with maximum 6 square feet for any single sign	7 days
Yard signs, non-commercial (construction, for sale, rent, or lease)	Maximum total sign area of 12 square feet	During duration of construction, sale, rent or lease