

SAMPLE OVERLAY District

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XXXX What are you wanting to see in the historic districtXXXXX

Purpose And Intent

- (a) The XXXXXXXXXXXXOverlay District implements the policies, objectives, and purposes of the Comprehensive Plan and the Code of Virginia § 15.2-2283 by providing standards to protect and enhance the character of the area which complement the requirements of the underlying zoning districts. These regulations are intended to foster a higher standard of commercial building design and site design which is respectful of the cultural and historic nature of the district, and produces development that complements, rather than detracts, from the character of the area. This character is in large part due to the Federal, Georgian, Greek Revival, Vernacular Victorian, and post and beam/timber frame architectural stylistic elements that were common of buildings built in the area during the eighteenth, nineteenth, and early twentieth centuries. Accordingly, a major purpose of this overlay is to provide avenues for nonresidential development to be substantially reflective of these architectural styles, while allowing for modern building practices. These regulations are further intended to retain the community identity through the use of setback reductions to encourage a slightly greater degree of density and a continuation of the unique development pattern, through the use of restrictions on certain incompatible uses, and through the utilization of the underlying traditional, Euclidian zoning districts. However, these goals are to be achieved while not inhibiting the functionality of the arterial highways traversing the area. Finally, the Overlay boundaries are arranged such that development will generally be encouraged within them and generally be discouraged outside of them.

Establishment And Applicability

- (a) Applicability. These overlay district regulations shall apply to the area designated as the XXX overlay district on the Recommended Land Use Map of the adopted 2013 Comprehensive Plan, and more specifically as shown on the map adopted by the Council.
- (b) Overlay concept. Unless otherwise stated herein, the permitted uses and other regulations of the underlying zoning districts and all other sections of this Zoning Ordinance shall continue to apply. All commercial development within the district shall conform to these provisions, unless specifically exempted.
- (c) Zoning Map. The boundaries of this district shall be clearly delineated on the county's zoning maps.
- (d) A xxxxxx Committee) shall be appointed by the Council for terms of two (2) years each. The xxxxx Committee shall be comprised of five (5) persons, at least three (3) of whom must reside in, or own real estate in, the xxx.

Administration

- (a) Review procedures. All commercial development within the OVERLAY DISTRICT shall conform to the zoning permit and site plan requirements set forth in Article II of this Chapter. The Zoning Administrator shall refer all submitted minor and major site plans or development proposals within the OVERLAY DISTRICT to the OVERLAY DISTRICT Advisory Committee for their review and comment. The Zoning Administrator may refer any submitted site plan or development proposal within the OVERLAY DISTRICT to the Planning Commission for their review and comment. If the Zoning Administrator denies any part of a site plan or development proposal that he/she finds is not consistent with these overlay regulations, the applicant may make a written request for the matter to be reviewed and determined by the Commission.
- (b) Nonconformities. Unless otherwise stated or modified herein, nonconforming uses and structures shall be regulated by Article III of this Chapter.
 - (1) If a commercial structure is nonconforming due to encroaching on a setback area or required yard, it may be expanded or enlarged provided the new portion of the structure is no closer to the affected property line than the nonconforming portion.

Uses

- (a) Except as provided in the following subsection, all by-right permitted uses and all special uses in the underlying zoning districts shall be permitted within the OVERLAY DISTRICT in accordance with individual district regulations.
- (b) The following uses shall not be permitted within the OVERLAY DISTRICT.
 - (1) Adult-oriented business.
 - (2) Public utility facility.
 - (3) Self-storage facility.
 - (4) Wholesale or distribution center.
 - (5) Any use utilizing drive-through facilities.
- (c) Any retail store in excess of five thousand square feet is allowed only by special use permit.

Area And Frontage Requirements

Minimum lot area and frontage requirements shall be regulated by the underlying zoning districts.

Minimum Setback Requirements

The specific requirements provided in this section shall supersede those found elsewhere in this Ordinance, but only within the boundaries of the OVERLAY DISTRICT. Setback distances not modified by this section shall be regulated by the underlying zoning district(s).

- (a) Certain main roads and xxxxx minimum setback of seventyfive (75) feet from center-line of the road, which shall apply to all buildings and structures. Parking areas may encroach up to half this minimum distance. Freestanding signs shall have a minimum setback distance from the right of way which is equal to the height of the sign.
- (b) Certain raods): no minimum setback requirement for structures or signs.
- (c) Certain roads minimum setback of twenty-five (25) feet from the centerline of the road for structures and signs.
- (d) Adjacent to the railroad right-of-way: no minimum setback requirement.

Height Requirements

No commercial building or structure within the OVERLAY DISTRICT shall exceed forty (40) feet in height.

Commercial Building Standards

- (a) Applicability. The standards set forth in this section shall apply to all new commercial development within the OVERLAY DISTRICT. For the purposes of this section, “new” shall refer to any commercial building or structure built after adoption of this overlay district.

(b) Building design. Commercial buildings shall incorporate the architectural treatments and design considerations established below.

- (1) Any commercial building within the OVERLAY DISTRICT shall be constructed in any of the following architectural styles by making substantial use of the building elements identified below for the style. Style elements may be physically installed or simulated.



Federal/Georgian Example

Federal/Georgian

Brick or clapboard exterior

A square or rectangular building shape

Double-hung windows with divided lights and shutters

Gable windows

An embellished front entryway (e.g. elliptical fanlights, side lights, Palladian windows, columns, a porch, etc.) A hip roof or side-gable roof

A symmetrical arrangement of doors and windows

Exterior cornice molding

Quoins

End-chimneys



Greek Revival Example

Greek Revival

Brick, clapboard, stucco, or stone exterior

A square or rectangular building shape

A full-height front porch supported by stylized columns

A front gable with a pediment

Decorative pilasters

Double-hung windows with divided lights

Exterior cornice molding

An embellished front entryway (a horizontal transom, side lights, columns, etc.)

A hip roof or low-pitched gable roof



Folk Victorian Example

Vernacular (Folk) Victorian

A square, rectangular, or L-shaped building

A front-gable roof

Clapboard and/or decorative siding (i.e. "fishscale" siding) exterior

Bracketed eaves

A continuous or mostly-continuous front porch with decorative embellishments (e.g. spindlework, brackets, stylized columns, etc.)

Decorative front gable-end detailing

Double-hung windows with top pediments



Post & Beam / Timber Frame Example

Post & Beam / Timber Frame

Exposed structural components (i.e. rafters, purlins, posts, girts, knee braces, brackets, etc.)

A square or rectangular building shape

A prominent, covered entryway

Vertical siding, clapboard, stone, stucco, or shake exterior

A gable roof or gambrel roof

Metal, shake, or slate roofing materials

- (2) Building and roofing colors shall be subtle, neutral and/or earth tones, and shall be of low-reflectance.
 - (3) Strip centers as a building design shall not be permitted within the OVERLAY DISTRICT. For the purposes of this section, a strip center shall mean any single-story building used for three (3) or more separate commercial uses which are contained within separate units that share a common frontage.
- (c) Mechanical equipment. Roof-mounted mechanical equipment shall be opaquely screened from view at grade by parapet walls or other similar structures that reflect the architecture of the building. Ground-mounted mechanical equipment shall not be located in any yard adjacent to a public road, and shall be opaquely screened from view by walls or structures that are a continuation of the principal structure's architecture.
 - (d) Waste receptacles. Trash dumpsters and waste receptacles for commercial use shall not be located in any yard adjacent to a public road, and shall be opaquely screened from view by fencing and/or evergreen landscaping. This standard shall retroactively apply to any lot upon any new development or complete redevelopment.
 - (e) Lighting. All exterior lighting shall be of the full-cutoff variety that directs light downward and away from street or neighboring properties and shall have a historic and/or high-grade style of design reflective of the examples provided below.





- (f) Fencing. Picket fences and split-rail fences are the permitted fence types. Chain-link fencing is expressly prohibited except for security and safety purposes to enclose trash containers, HVAC, electrical etc. In such case the chain-link fencing itself must be opaquely screened from public view by use of approved fencing or natural buffer such as bushes and trees.

Off-Street Parking And Landscaping

Off-street parking, loading, and landscaping shall be regulated by the ordinance on off-street parking

Outdoor Storage

Outdoor storage of goods and materials related to any commercial use shall not be located in any yard adjacent to a public road, and shall be opaquely screened by fencing and/or evergreen landscaping, or shall be within an approved accessory building.

Signage

- (a) Area. Maximum allowable area of signage shall be regulated by the underlying zoning district.
- (b) Height. Freestanding signs within the OVERLAY DISTRICT shall not exceed eight (8) feet in height. Building signs shall not extend above the highest point of the building to which they're attached.
- (c) Style. Monument signs are the only style of freestanding sign permitted in the OVERLAY DISTRICT.
- (d) Digital signs. Digital signs shall have a static display (no strobes or star-bursts etc.) of a single color, and may feature a change of message no more frequent than once per sixty (60) seconds.