

Section 18-237 Windover Heights Historic Overlay (WH-O)

Proposed Amendments

EDIT No. 3

Issue: The Town of Vienna zoning and subdivision ordinance requires all “Public Improvements” within the Windover Heights Historic District, including projects in the Town’s right-of-way, to be reviewed by the Windover Heights Board of Review, and be approved by Town Council. The text originates from the pre-2024 Town Code, with the latest revision date of 1992.

In 2021, the Town Code was revised to require the developers of single lots to dedicate land for sidewalks, curbs and gutters, and construct sidewalks. The Town constructs the curb and gutter if not built prior to development. In 2023, the first redevelopment of a single lot triggered the review requirement for Windover Heights. The Town Council ultimately decided that sidewalks, curbs, and gutters were not necessary for the location. In the future, each single lot development will be required to complete this process unless the Town Code is amended.

Recommendation: Discuss and adopt revisions to Section 18-237 Windover Heights Historic Overlay (WH-O) that remove the requirement for frontage improvements for single lot development within the Windover Heights Historic District only. This revision would allow developers to complete the site plan review process with staff, and the Windover Heights Board of Review design review process, without first going to two public hearings.

Considerations: The removal of this requirement for properties in Windover Heights would eliminate the requirement for property owners to dedicate land for Town right-of-way, that would typically contain the sidewalk, curbs and gutters.

OR, any revisions as recommended by Town Council.

Future improvements to the streets or public infrastructure would still be required to complete the process and go before the Windover Heights Board of Review and Town Council. If the Town of Vienna develops an infrastructure plan for the district, the section could be revised to modify the process.

Recommended Zoning Code Text w/Redline:

Section 18-237 Windover Heights Historic Overlay (WH-O)

2. Public Improvements Controls

- A. No new construction projects, the purpose of which shall be the installation of new public improvements and publicly-owned utilities not in existence at the time of the adoption of the ordinance, shall be commenced in the Windover Heights Historic Overlay District until the Town Council shall first conduct an advertised public hearing concerning the necessity of the improvement, at which hearing the recommendations of the Windover Heights Board of Review, if available, shall be included in the record.

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- B. Single lot redevelopment, except those lots with any frontage on Lawyers Road NW, within the Windover Heights Historic District is exempt from the frontage improvement requirements within Section 18-402 Frontage Improvements.
- C. ~~B.~~ The provisions of this section shall not be applicable to maintenance or repair of existing public improvements or utilities.

Zoning Code Text Adopted in 2024:

Section 18-237 Windover Heights Historic Overlay (WH-O)

2. Public Improvements Controls

- A. No new construction projects, the purpose of which shall be the installation of new public improvements and publicly-owned utilities not in existence at the time of the adoption of the ordinance, shall be commenced in the Windover Heights Historic Overlay District until the Town Council shall first conduct an advertised public hearing concerning the necessity of the improvement, at which hearing the recommendations of the Windover Heights Board of Review, if available, shall be included in the record.
- B. The provisions of this section shall not be applicable to maintenance or repair of existing public improvements or utilities.

Pre-2023 Zoning Code Text:

Sec. 18-280.3. - Same—Public improvements.

- A. No new construction projects, the purpose of which shall be the installation of new public improvements and publicly-owned utilities not in existence at the time of the adoption of the ordinance from which sections 18-280.1 to 18-280.13 are derived shall be commenced in the Windover Heights Historic District until the Town Council shall first conduct an advertised public hearing concerning the necessity of the improvement, at which hearing the recommendations of the Windover Heights Board of Review, if available, shall be included in the record.
- B. The provisions of this section shall not be applicable to maintenance or repair of existing public improvements or utilities.

(Code 1969, § 18-280.3; Ord. of 4-1979; Ord. of 6-1984; Ord. of 7-6-1992)