

Town of Vienna, Virginia

Zoning Code Review Priority Chart

Chapter & Section	Nature of Change	Reference(s) in Comprehensive Plan	Priority	Recommended by:	Council Score
Chapter 13: Refuse: Garbage and Weeds, Section 3: Trash, garbage, refuse, etc. – Property to be generally free of	Section covers debris. There is a need to better identify trash with examples. Identify the prohibition of items stored/left outside or in the yard such as couches, white goods, cardboard boxes of material, etc. Consider adding a definition section to clarify specific items similar to DPW section 13A.	Page 39 (Objective 2), Page 150 (Objective 1)	Medium	Staff	Administrative
Chapter 13: Refuse: Garbage and Weeds, Section 7: Grass, weeds and other foreign growth – Permitting in excess of six inches in height prohibited	Section deals with high grass and overgrowth. Language could be improved to better identify the prohibition of invasive plants/vines, etc. which kill trees, plants and leach onto neighboring property.	Page 39 (Objective 2), Page 150 (Objectives 1 and 2)	High	Staff	Administrative
Chapter 17: Subdivisions	Update Preliminary Plat/Final Plat regulations per State Code changes.		High	Staff	Administrative

Chapter & Section	Nature of Change	Reference(s) in Comprehensive Plan	Priority	Recommended by:	Council Score
Chapter 17: Subdivisions, Article 2: Preliminary Plat, Section 15.1: Planting and replacement of trees	Add “per lot” canopy requirement for subdivisions – “minimum 10 percent tree canopy per lot in the RS-16, RS-12.5 and RS-10 zones and 20% for whole subdivision.” Currently there is only a 20% canopy requirement for all of the lots combined in the subdivision. Therefore some lots may have one or zero trees while some has multiple trees.	Page 144, Page 150 (Objective 2)	Medium	Staff	13
Chapter 18: Zoning (No ordinance currently exists)	A policy/code section needs to be established if possible to deal with repeat offenders on zoning violations. Specifically if a code/policy could be established to stream line the notification process on tall grass, inoperable vehicles, debris and other high volume violations enforcement . Obviously this assumes ownership of a property has not changed.	Page 39 (Objective 2), Page 150 (Objective 1)	Low	Staff	19

Chapter & Section	Nature of Change	Reference(s) in Comprehensive Plan	Priority	Recommended by:	Council Score
Chapter 18: Zoning, Article 2: Definitions	Add definition of “temporary structure” to mean 30 days or less		Medium	Staff	Administrative
Chapter 18: Zoning, Article 2: Definitions	Amend the definition of accessory buildings to include gazebos, pergolas, and similar structures.				Administrative
Chapter 18: Zoning, Article 2: Definitions	Add a definition for “lot coverage.”		Medium	Staff	Administrative
Chapter 18: Zoning, Article 2: Definitions	Add a definition for “Center Line.”		Medium	Staff	Administrative
Chapter 18: Zoning, Article 2: Definitions	Add a definition for “Fence.”		Low	Staff	Administrative
Chapter 18: Zoning, Article 2: Definitions	Add a definition for “Lot, rear of”		Medium	Staff	Administrative
Chapter 18: Zoning, Article 3: Zone Categories and Boundaries, Section 6: Determination of zone boundaries	This section discusses the determination of zone boundaries. There should be some language included to clarify how lots with split zones should be handled.		High	Staff	14
Chapter 18: Zoning, Article 5: RS-16 Single-Family Detached Residential Zone Regulations, Section 18-13: Conditional uses	Define agricultural operations as the keeping of any farm or undomesticated animal and move it to conditional uses so there is an avenue for people who would like to pursue urban farming (chickens/bees).		Medium	Staff	22

Chapter & Section	Nature of Change	Reference(s) in Comprehensive Plan	Priority	Recommended by:	Council Score
Chapter 18: Zoning, Article 5: RS-16 Single-Family Detached Residential Zone Regulations, Section 17: Fences	This section covers the requirements for fences. Suggest that an exemption be provided for garden fences with considerations for height, placement and duration. Additionally, consideration should be given to consolidating fence requirements into one area of the code (18-17, 18-26, 18-35, 18-110, 18-126.6, 18-173.16, 19-3) and then provide reference to the consolidated section where needed.		Low	Staff	11
Chapter 18: Zoning, Article 5: RS-16 Single Family Detached Residential Zone Regulations, Section 18-15 - Area Requirements and Section 18-17 - Fences	Review current standards for fence, patios, decks and DIY type structure restrictions and setbacks.			Council	24
Chapter 18: Zoning, Article 8: RTH Townhouse	Review zoning district and make changes as deemed necessary.		Medium	Staff	15

Chapter & Section	Nature of Change	Reference(s) in Comprehensive Plan	Priority	Recommended by:	Council Score
Chapter 18: Zoning, Article 9: RM-2 Multifamily, Low Density Zone Regulations	Amend and revise the whole zoning district article.		High	Staff	16
Chapter 18: Zoning, Article 11: C-1 Local Commercial Zone Regulations, Section 72: Permitted Uses	Allow outdoor seating as a by-right use. Also consider allowing live entertainment and patron dancing as a use subject to approval by the Zoning Administrator.	Page 156	High	Staff	11
Chapter 18: Zoning, Article 11: C-1 Local Commercial Zone Regulations, Section 72: Permitted Uses	Remove the requirement for a restaurant being located in a shopping center or the requirement of a seating capacity of 125 or more persons for freestanding restaurants.	Page 40 (Objective 4)	High	Staff, Local Business Owners/Property Owners	7
Chapter 18: Zoning, Article 11: C-1 Local Commercial Zone Regulations	Look at allowing commercial kitchens and food preparation areas for food trucks			Council, Local Business Owner	30

Chapter & Section	Nature of Change	Reference(s) in Comprehensive Plan	Priority	Recommended by:	Council Score
Chapter 18: Zoning, Articles 11, 12, 12.1, 13, and 15	Consider revising the requirement for Council and Planning Commission to review and approve landscape plans for by-right, new commercial developments. Also require that seasonal color be provided for landscaping.		Medium	Staff	Administrative
Chapter 18: Zoning, Articles 5, 11, 12, 13, 14, and 15	Add Telecommunication Facilities to allow CUP uses for commercial and industrial zones, as well as residential zones (for Town owned properties).	Page 109	Medium	Staff	Administrative
Chapter 18: Zoning, Articles 11, 12, 13, 13.1, 15, and 21	Allow CUP for small breweries in commercial zones and by-right in industrial zone.		Medium	Staff	16
Chapter 18: Zoning, Articles 11, 12, 12.1, 13, and 15	There should be a clarification that places of worship are allowed uses in the commercial zones.		High	Staff	30
Chapter 18: Zoning, Article 16: Off-street Parking and Loading Areas	Add requirements for landscaping for surface parking lots and reduce the parking ratios for commercial and office buildings.		High	Staff	18

Chapter & Section	Nature of Change	Reference(s) in Comprehensive Plan	Priority	Recommended by:	Council Score
Chapter 18: Zoning, Article 16: Off-street Parking and Loading Areas	Add requirements for bicycle parking and consider requirements for electric vehicle charging stations.		High	Staff	18
Chapter 18: Zoning, Article 16: Off-street Parking and Loading Areas, Section 18-130: Requirements	Add parking standards for schools, assisted and independent living facilities, self-storage facilities, and any other use permitted in the Town that does not have a clear parking standard.		High	Staff	21
Chapter 18: Zoning, Article 17: Accessory Buildings, Swimming Pools and Private Parking Areas, Section 141: Accessory building on corner lot	Section deals with accessory buildings and their placement on corner lots. Recommend change of placement from 5' to 1' from property line on interior corner of lot.		Low	Staff	15
Chapter 18: Zoning, Article 17: Accessory Buildings, Swimming Pools and Private Parking Areas, Section 142: Accessory building not to be used for dwelling purposes.	Review domestic servants part of Code and consider adding that accessory structures shall not contain cooking facilities or full bathrooms.		Medium	Staff	21

Chapter & Section	Nature of Change	Reference(s) in Comprehensive Plan	Priority	Recommended by:	Council Score
Chapter 18: Zoning, Article 17: Accessory Buildings, Swimming Pools and Private Parking Areas	The Town should consider some type of ordinance that helps incentivize detached garages (possibly some type of lot coverage reduction). Garages should be encouraged to be less prominent and away from a house's front façade.	Page 39 (Objective 2)	High	Staff, Local Custom Home Builders	20
Chapter 18: Zoning, Article 18: Supplemental Regulations, Sections 153 & 153.3 & 153.4	Sections deal with Parking of Commercial Vehicles in Residential Zones and they are in conflict with the allowable vehicle weights. Furthermore they are confusing and therefore difficult to enforce. Consolidation of these sections and simplification are recommended.		Medium	Staff	19
Chapter 18: Zoning, Article 18: Supplemental Regulations, Section 159: Obstruction to vision at corner, residential zone prohibited	Section covers corner visibility requirements. A clarification is needed on how the 25' requirement is measured to eliminate obstructions in the sight lines. An exemption should be added for intersections that are electronically controlled.		Low	Staff	Added to Fences Discussion

Chapter & Section	Nature of Change	Reference(s) in Comprehensive Plan	Priority	Recommended by:	Council Score
Chapter 18: Zoning, Article 18: Supplemental Regulations, Section 167: How far a carport may project into side yard	Re-examine how the section is currently written.		Low	Staff, Council	8
Chapter 18: Zoning, Article 18: Supplemental Regulations, Section 168: Porches; projection into required yard area prohibited	This zoning restriction that does not allow porches to encroach into the front yard should be re-examined. Front porches that project are beneficial aesthetically and help create more of a traditional neighborhood environment.	Page 39 (Objective 2)	High	Staff, Local Custom Home Builders	9
Chapter 18: Zoning, Article 18: Supplemental Regulations, Section 173: Home occupation	These occupancy permits become difficult to enforce after the fact so we are requesting a more detailed application process including a business plan to include offsite activities (warehouse, parking lots, manufacturing, etc) and a provision for periodic updates on business changes.	Page 39 (Objective 2)	Low	Staff	Administrative

Chapter & Section	Nature of Change	Reference(s) in Comprehensive Plan	Priority	Recommended by:	Council Score
Chapter 18: Zoning, Article 18: Supplemental Regulations, Section 173.14: Maintenance of landscape areas	This section is very unclear and sounds like the Director of Public Works is responsible to ensure all Town private properties have well maintained landscaping and lawns. Currently P&Z have taken responsibility to ensure private lawns/grounds are maintained under 13-7 so clarification is needed.	Page 54 (Objective 6)	High	Staff	Administrative
Chapter 18: Zoning, Article 18: Supplemental Regulations, Section 173.15: Blighted property a nuisance	This section deals with blighted properties but provides no clear conditions which the property must meet. The Town Council decides when a property has become blighted but there are no standards established in the code to make the judgment. Although this situation rarely comes up the lack of standards/criteria leaves the Town unprepared. Citizens often call about a "blighted property" in their neighborhood and there is no current definition to inform them why it is or isn't. Consider adoption of Fairfax County's standard.	Page 39 (Objective 2)	Low	Staff	Administrative

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Chapter 18: Zoning, Article 18: Supplemental Regulations	There are various sections that need to be removed which are outdated and/or difficult to enforce. Also, some sections need graphics to help provide some clarification.		High	Staff	Administrative
Chapter 18: Zoning, Article 19: Nameplates and Signs	Overhaul of Sign article – The sign ordinance is very outdated and does not allow signs that the Town may want to encourage (i.e. blade signs or vertically oriented signs). Also, the temporary sign regulations need to be updated to be compliant with recent court cases. Such an overhaul would most likely require significant input from the Board of Architectural Review and the business community.	Page 40 (Objective 4)	High	Staff	13 / Temporary Signs Administrative
Chapter 18: Zoning, Article 19: Nameplates and Signs	Allow electronic changeable signs, such as the ones used by schools or churches			Local Church	32
Chapter 18: Zoning, Article 23: Board of Zoning Appeals	Update Variance Standards per new State Code		High	Staff	-

Chapter & Section	Nature of Change	Reference(s) in Comprehensive Plan	Priority	Recommended by:	Council Score
Chapter 18: Zoning, Article 24: Rezoning and Amendments	Update what is required for a rezoning application. Currently there is very little detail included as to what an application should include. The existing conditions plan and concept plan requirements for the recently amended MAC ordinance are a good model.	Page 53 (Objective 3)	High	Staff	Administrative
Chapter 18: Zoning, Article 25: Site Plan Control Provisions	Add language to clarify when a minor site plan is required versus a full site plan and add language to state what a minor site plan requires. Surrounding jurisdictions have good examples.	Page 53 (Objective 3)	High	Staff	Administrative
Chapter 18: Zoning, Article 26: Historic Districts, Section 280.5: Same – Creation of Windover Heights Board of Review	Change “beautification commission” to “Community Enhancement Commission”		Low	Staff	Administrative
Chapter 18: Zoning, Article 26: Historic Districts Sec. 18-280	Complete review of Windover Heights section, consult with the Windover Heights Board of Review.	Page 39 (Objective 2)	Low	Staff	28

Chapter & Section	Nature of Change	Reference(s) in Comprehensive Plan	Priority	Recommended by:	Council Score
Chapter 18: Zoning, Article 27: Penalties, Section 281.1: Civil penalties	Section provides information on Civil Penalties. Current monetary penalties do not serve as a deterrent nor reflect other jurisdictions. Expansion of infractions listing should also be considered. A new Notice of Violation (Summons) form will need to be revised based upon any changes.		High	Staff	Administrative

Others

Village Housing – 22

Lighting Standards – 11

Regulate Aesthetics for Vacancies – 16

Parking Standards for Restaurants for Church Street Vision – 27

Regulations for AirBnB – 26

Clarify C-1 Zoning Permitted Uses – Administrative

In-law Suites/Apartments – 26

Adjustments to Lot Coverage Maximum – 22

Adjustments to Lot Coverage in Regards to Pool Coping/Patios - 23