

MEMORANDUM

To: Honorable Mayor Colbert and Town Council Members
Chairman Kenney and Planning Commission Members
Mercury Payton, Town Manager
Michael D'Orazio, DPZ Acting Director

From: Sean Suder, Lead Principal

Date: March 21, 2022

Re: Town of Vienna Non-Residential Zones and Standards Codification

The next substantive step in the process to clarify, simplify, reorganize, and update the Town of Vienna zoning and subdivision ordinances is to codify specific development standards for each zone and district along with generally applicable development standards.

On December 3, 2020, the Planning Commission and Town Council held separate work sessions to review and discuss revisions to the Town's residential standards, followed by working sessions of the Planning Commission and Town Council on February 3 and 4, 2021, working sessions of the Planning Commission and Town Council on May 26 and 27, 2021, and working sessions of the Planning Commission and Town Council on August 31, 2021 and September 1, 2021. Town Staff held working sessions on residential uses and standards on January 26, 2022 with Planning Commission and on February 2, 2022 with Town Council.

At the upcoming March 30, 2022 and March 31, 2022, work sessions, we will focus our attention on the following:

- Article 3 – Uses and Use Standards (Updated Draft Review and Discussion)
- Article 5 – Development Standards - Non-Residential and Multi-Unit Uses (Draft Review and Discussion)

As we have discussed, updated, modern, easy-to-use and administer zoning districts particularly calibrated to desired development patterns and character, along with a modern list of uses, will enhance the quality of development and life for Vienna's residents and businesses. Following your direction and the community's feedback on a new set of non-residential districts, we have calibrated and codified a set of non-residential standards in Article 3, and we have calibrated and codified generally applicable non-residential development standards, including parking, lighting, signage, and landscaping.

At the upcoming work sessions, we will review and discuss updates to Article 3 based on the comments we received at the previous work sessions and draft Article 5.

Guiding Documents

The following is a refresher on the guiding documents for this project:

Zoning standards should reflect the goals adopted in the Town's Comprehensive Plan. The goals in the Comprehensive Plan as affirmed by Town Council for this project are directly relevant to the Town's non-residential areas:

- Maintain the balance of land uses.
- Encourage a vibrant Central Business District.
- Create a more walkable and bikeable Vienna.
- Be consistent with the goals as set forth in the Transportation chapter, as well as other parts of the Comprehensive Plan, as applicable

The September 2020 Zoning Diagnostic Report concludes, among other things, that:

- The principal permitted uses in the commercial zoning districts and the CBD are outdated and should include uses desired by the community and the market.
- The street standards in the subdivision regulations are outdated and do not sufficiently address the relationship between streets and land use patterns.
- The minimum street widths and maximum block sizes are too large and result in an auto-oriented development pattern that is inconsistent with the Plan Update.

The Report recommends the following actions:

- Promote flexibility in minimum off-street parking requirements by waiving minimum off-street parking requirements for smaller renovations, additions, and/or adaptive reuse projects in select districts.
- Incorporate more robust shared parking regulations for select overlays or subdistricts that promote flexibility in the minimum off-street parking regulations when certain conditions are satisfied such as shared parking plans, in-lieu payments, and bicycle parking.
- Incorporate modern uses to increase interest in and demand for the commercial district, such as co-working spaces, makerspaces and breweries and distilleries. The permitted principal uses in commercial and mixed-use districts should also be updated to allow for temporary uses under specified conditions.
- Codify updated subdivision regulations with a street hierarchy that expressly addresses the relationship between street type and land use pattern.
- Update minimum street widths and maximum block lengths to better align with the pedestrian-oriented design standards contemplated in the Plan Update.

- Craft updated parking regulations that are applicable to the commercial districts and expressly account for publicly available off-street and on-street parking near businesses.
- Reconsider the Maple Avenue Corridor as a series of nodes and villages within a Town so that it can be calibrated in a more granular fashion and avoid a monolithic one-size-fits-all corridor style approach that the Town seeks to avoid.
- Implement a transportation demand management (TDM) program to encourage multimodal travel and otherwise support development that furthers goals of the Comp Plan. Consider TDM program elements that apply to new development, as well as to large employers and other institutions. (Source: Nelson Nygaard)
- Require bicycle parking and long-term storage facilities in multifamily residences and commercial/office uses.

Our initial conclusions were informed by a review of background materials, including all previous plans, reports and comments related to the Maple Avenue Commercial (MAC) zone, and supported by comments provided by the Town Planning Commission and Council at the project kick-off meeting on September 23, 2020. Our conclusions should not be viewed as criticisms, but as a challenge to the Town to calibrate a built form and uses that strike a balance to achieve these important goals. This is an iterative process that is most effective when there is robust feedback and input that informs the process.

To that end, the Town has since gained valuable feedback and input from a wide cohort of citizens through various methods including *Lunch & Learn* sessions, polls, work sessions, and two-by-two meetings. See codecreatevienna.com for more information.

Revisions to Article 3 – Uses and Use Standards – Since Last Work Sessions:

We presented a draft use table at the last work sessions. Since that time, we have revised the use table to reflect your comments and comments Town staff has received through its engagement and have added use standards for specific uses. The following is a summary of the revisions:

- The use table was expanded to include a column called “Specific Use Standards” that included references to the use standards added below the tables.
- College and University uses were changed from C – Conditional Uses to S - Special Uses in districts where they are allowed.
- Convention and Conference Center uses were changed from S – Special Uses to a C - Conditional Use in the “CP” District.
- Medical Care Facility uses were changed from S – Special Uses to C – Conditional Uses or P – Permitted Uses in districts where they are allowed.

- Outdoor Parks and Recreational Uses, Public use was changed to a C – Conditional Use in all residential zones.
- Religious Assembly use was changed from C – Conditional Use to S – Special Use in all districts except where they are P – Permitted.
- Removed “Accessory Use Only” from Vehicle Charging Station.
- Removed “Public Use Trailer,” as “Trailer, Public Use” already exists.
- Temporary Residential Trailers was changed to “Trailers, Residential Use.”
- Specific Use Standards are included for the following uses:
 - Agriculture, Enclosed
 - Bed and Breakfast
 - Child Care Center
 - Construction Site Office or Storage
 - Dancing and Entertainment
 - Drive-Through Facilities
 - Family Day Home
 - Farmers’ Market
 - Garage or Yard Sale
 - Home-Based Business
 - Independent Living Facility (in progress)
 - Keeping of Chickens
 - Keeping of Domestic Animals
 - Keeping of Honeybees
 - Medical Care Facility (in progress)
 - Model Home Sales or Leasing Office/Trailer
 - Outdoor Dining (in progress)
 - Outdoor Display and Sales
 - Portable Storage Containers
 - Religious Assembly
 - Residence for Manager or Employee
 - Shared Kitchen
 - Shelter, Hypothermia Prevention
 - Special Event (in progress)
 - Stable and Riding (Personal Use)
 - Storage Yard
 - Trailer, Public Use
 - Trailer, Residential Use
 - Upper-Story Residential
 - Vehicle Charging Station
 - Vehicle Fueling Station
 - Veterinary
 - Wireless Facility (in progress)

As noted above, certain of the specific use standards require additional attention and we are currently working on standards for inclusion in the next draft.

Article 5 – Development Standards - Non-Residential and Multi-Unit Uses:

Article 5 is a significant portion of the new code as it contains substantive standards relative to the following:

- Accessory Uses
 - No substantive changes to existing code.
 - ADU's not included.
- Fences and Walls
 - No substantive changes to existing code regarding wall and fence heights.
- Landscaping Screening and Tree Canopy Coverage
 - Added more robust landscaping and buffering standards with parking lot regulatory graphic.
 - Revised requirement for masonry wall between zones to mix of solid fencing or wall and trees and shrubs.
- Lighting
 - Existing lighting standards for the most part do not exist. What is in the code is scattered throughout.
 - New, modern standards included in centralized lighting section and are based on Fairfax County's recently adopted lighting standards.
- Non-Residential and Multi-Unit Design Standards
 - Currently, building design standards only exist in the C1-B – Pedestrian Commercial zone.
 - In addition to design standards applicable to residential structures in Article 4, design standards are included for all new development and all redevelopment or renovation of existing multi-unit residential and non-residential structures where the gross square footage is expanded by more than 50 percent.
- Open Space
 - New open space typologies with illustrative graphics are included.
- Parking and Loading
 - Off-street parking and loading standards are currently scattered throughout the existing code.
 - A new centralized section on parking and loading standards organized by district and including dimensions and updated counts will be updated at a later date by Nelson\Nygaard.
 - New bicycle parking standards are included and will be updated at a later date by Nelson\Nygaard.
- Refuse Disposal
 - New refuse disposal (dumpster) enclosure standards are included.
 - Currently dumpster enclosure standards only included in C1-B – Pedestrian Commercial Zone.
- Mechanical and Utility Equipment
 - New mechanical and utility equipment screening standards with illustrative graphics is included.
- Sight Triangle
 - The concept of a sight triangle is included along with illustrative graphics.
- Signs (Permanent and Temporary)

- This new section replaces existing Article 19 – Nameplates and Signs in its entirety.
- The new sign code creates a new menu of sign types organized by zone/district and includes sign illumination standards.
- All content-based sign regulations have been removed.
- Underground Utility Services
 - No substantive changes to existing code.
- Walk-Up Facilities
 - A new section on walk-up facilities is added to compliment drive-through facilities.
- Wireless Facilities (in progress)

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We look forward to discussing your comments in more detail at the upcoming work sessions.