



MEMORANDUM

TO: Mayor and Town Council

FROM: Kelly O'Brien, AICP, CZA, Acting Deputy Director

CC: Michael D'Orazio, AICP, Acting Director of Planning & Zoning

DATE: January 27, 2022

SUBJECT: Planning Commission comments from January 26, 2022 work session on residential standards in Articles 3 and 4

Background:

On Wednesday, January 26, 2022, the Planning Commission held a work session to review the latest drafts of *Article 3 - Uses and Use Specific Standards* as it relates to single-unit detached residential and *Article 4 - Development Standards - Single-Unit Detached Residential Uses*. The following is a summary of the comments related to single-unit residential standards and uses from that work session.

Comments:

Generally Planning Commission wanted more detail in the highlighting of the code changes including highlighting what text was removed or changed in red and new language in blue.

ARTICLE 3 - Uses and Use Specific Standards

- New chart is Planning Commission Chair's favorite change in the code update so far. Much easier to use.
- Add use standards for Hypothermia Prevention Shelter.
- If Hypothermia shelters are changed to permitted and there is an issue how do you stop the use as with conditional use permit?
- Should data center be allowed in residential zones for data/crypto mining? Could data/crypto mining be covered as a home-based business?

- Does electric charging station include collecting electric scooters around the area and charging them at your home? Could they leave them outside of their home?
- Asked if people are keeping bees in Town now. Some knew of people doing it now and felt they are already meeting the standards as proposed.
- Question about the number of chickens proposed. If County standards could allow up to 11 chickens in RS-16, why are we proposing 4? Need to find out what number works for Town of Vienna.
- Farmers Market is shown as permitted in many zones but current zoning standards only allow for one. Is that proposed to be changed? Staff noted Council would need to determine if that is changing.
- Concern about charging stations in a house being required to turn off after so many hours or days or requiring fire suppression. Staff noted stations need electrical permits and single-unit houses are only allowed to have Level 1 and Level 2 chargers.
- Should there be a duration added to garage or yard sale standards? Can be addressed in definitions.

ARTICLE 4 - Development Standards – Single-Unit Detached Residential Uses

- Section 18-72 ACCESSORY STRUCTURES
 - Add a red hatched area on the graphic where the accessory structure may not be located.
 - The solid line of the graphic isn't clear as to what it is showing.
- Section 18-74 DRIVEWAYS AND OFF-STREET PARKING
 - Wanted to make sure the concrete strips for a driveway are addressed and mitigated in the code update. Staff noted that, with current and proposed regulations, they are not allowed.
 - Question about location of residential parking spaces located parallel to the road on property. Ensure understanding of location of residential parking in relation to the street.
 - Concern about the proposed increased width of the driveway.
 - How does it affect existing driveways and aprons?
 - What is the VDOT standard?
 - Can you build a wider driveway to a narrower apron?
 - How does this effect cul-de-sac pie shaped lots? Only 50 feet of frontage, could they redevelop with a new house and two car garage with this wider driveway requirement?
 - Suggested allowing 12 ft width driveway if the applicant can prove it works with truck or car turning radius diagram.
 - Like the 18' from garage requirement but concerned what effect it has on lot coverage along with the wider driveway. Asked if the builder

community has had any comments on these proposals. Staff noted that they will have a stakeholder meeting with builder community in February.

- Suggested reviewing the subdivision near Westwood Country Club to see what was built and if it is working. How would these proposed changes affect them?
- There may be cul de sacs in Town that don't meet current standards.
- Section 18-75 EXTERIOR LIGHTING
 - This section is a red flag for potential problems for the Planning Commission Chair. Full cut-off with LEDs isn't as available for residential uses as commercial. Skeptical that a resident can purchase an outdoor flood light for their backyard that has some built-in means for a cut off feature.
 - Are regular voltage string lights allowed with this code? They aren't shielded.
 - Do these apply only to new construction or current homes as well? How is it enforced? Complaint driven like tall grass?
 - If light was in place prior to code adoption, is it grandfathered and how do you know when it was installed?
 - Code appears to be limited to architectural and landscape purposes not building sconces so just trying to limit spot lots not string lighting.
- Section 18-76 FENCES AND WALLS
 - Windover Heights Board of Review asks that finials on fences not be sharp to avoid harming animals that jump over the fence. Should that be added to this section?
- Section 18-79 SIGHT TRIANGLE
 - Does the 25' distance match what is required by VDOT?
 - Should there be different distances for different types of streets?
 - Should berms be added to elements not allowed in the sight triangle?
- Section 18-81 SWIMMING POOLS AND OUTDOOR HOT TUBS
 - Staff noted that there is a section of existing code limiting hot tubs to 2% of lot area that was not carried forward.
 - Do we need to have a limit identified?
 - If they add therapeutic jets to a swimming pool does that allow it to exceed the 25% of the pool. Can be addressed in definitions.