

PROPOSED ORDINANCE

RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION ON 2-26-2014

*(with original revision language proposed by the Town Attorney in **bold black italics**, original language to be removed in **bold red italics**, and substitution language inserted by the Planning Commission in **bold brown italics**)*

Originally Proposed by: Town Attorney

A proposed ordinance to amend Chapter 18, Zoning, Article 25, Site Plan Control Provisions, Section 18-251, Where applicable and Section 18-252, Site Plan Specifications, of the Code of the Town of Vienna.

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF VIENNA, VIRGINIA THAT:

Section 1: The Town Code, Chapter 18, Zoning, Article 25, Site Plan Control Provisions, Section 18-251, Where applicable and Section 18-252, Site Plan Specifications, is amended to include newly enacted State laws and to read as follows:

Sec. 18-251. - Where applicable.

Site plan control provisions shall be applicable to the alteration or construction of any building located in a C-1, C-1A, C-1B, C-2, CM, T, RTH, RM-2, or PR zone and the alteration or construction of any building primarily used for other than a residential use in any residential zone. *Additionally, the provisions for replacement of trees as set forth in section 18-252 E shall apply to any ~~development~~ of the following located in the RS-16, RS-12.5, and RS-10 zones: the development of an undeveloped tract; the redevelopment of any existing tract by removal of a dwelling and replacement with a new dwelling; or the addition to an existing dwelling that results in an area of disturbed soil exceeding 2,500 square feet.*

Sec. 18-252. - Site plan specifications.

Any person, corporation, firm or other organization or association, shall, prior to or at the time of filing application for a building permit to erect or alter any structure in a C-1, C-1A, C-1B, C-2, CM, T, RTH, RM-2, or PR zone, submit to the director of public works a site plan prepared by a registered architect, registered engineer or certified land surveyor authorized by the commonwealth to practice as such. *Additionally, the provisions for replacement of trees as set forth in section 18-252 E shall apply to any ~~development~~ of the following located in the RS-16, RS-12.5, and RS-10 zones: the development of an undeveloped tract; the redevelopment of any existing tract by removal of a dwelling and replacement with a new dwelling; or the addition to an existing dwelling that results in an area of disturbed soil exceeding 2,500 square feet.*

Such plan shall include the following data:

- A. 1. Location of all existing and proposed buildings and structures.
2. Boundary of the entire tract by courses and distances.
3. Area of the tract.
4. Zone of the tract.
5. Present record owner of the tract.
6. Owner, zone and present use of all contiguous property.
7. Width of all streets adjoining the tract (both right-of-way and pavement widths).
8. Location of existing edge of pavement or curbs.
9. Location of existing easements and underground facilities, proposed easements and buildings and their dimensions.
10. Number of floors, floor area and use of each building and height of each building.
11. A schedule showing compliance with the parking requirements of this chapter.
12. All off-street automobile parking space and type of surfacing (indicating size of stalls and width of aisles).
13. All off-street loading and pickup spaces.
14. Location of any poles, fire hydrants, retaining walls, pump islands, signs, doorways, window wells, guy wires, or other structures which might interfere with automobile parking or maneuvering.
15. The location and type of entrances and driveways which shall conform to the state department of highways and Town standards and specifications.
16. Location of all curbs to be constructed and specify type.
17. Location and width of all sidewalks.
18. Fencing and walls to be erected; type, height and location.
19. The location, type and size of all existing trees as defined in this Code. If the property is densely wooded in whole or in part, the limits of such densely wooded areas may be shown on the plan in lieu of locating individual trees within these areas.
20. Topography, existing and proposed (indicating areas of major grading and slopes to be maintained).
21. Disposition of storm water drainage (indicating all pipe sizes, types and grade elevations).

22. All sanitary sewerage facilities, indicating pipe size, type and grades and where connection is to be made to the Town system.
 23. Name of architect, engineer or surveyor preparing site plan.
 24. *Specifications for the removal of trees and protection of trees during clearing and grading to include tree species, size and condition per the Town of Vienna Tree Preservation and Planting Specifications Manual.*
 25. *Grade changes or other work adjacent to a tree that is to be preserved which might affect it adversely, with specifications on how the ground drainage and aeration will be maintained around said tree per the Town of Vienna Tree Preservation and Planting Specifications Manual.*
 26. Landscape planting, clearly identified by appropriate symbols, showing the location, type and size of trees, shrubbery and screening to be planted
- B. All information required by sections [17-14](#) and [17-15](#)(a) through (o) where applicable.
- C. A tabulation listing the site plan specifications as they compare to minimum zoning requirements shall be furnished with each copy of the site plan.
- D. All information required by [chapter 18.1](#), where applicable.
- E. Provisions for replacement of trees during development as follows:
1. A plan for the planting and replacement of trees on site during development to the extent that, at maturity of 20 years, minimum tree canopies or covers will be provided in the respective zoning districts of the Town as follows:
 - a. Twenty percent tree canopy in the RS-16, RS-12.5, and RS-10.
 - b. Fifteen percent in the RM-2 and RTH zones.
 - c. Ten percent tree canopy in the T, C-1, C-1A, C-2, CMP, and CM zones.
 - d. *Replacement trees shall be in-kind in accordance with the Tree Preservation and Planting Specifications Manual.*
 - ~~e. All trees shall be warrantied for one year from the date of the Certificate of Occupancy.~~
 2. *All trees planted shall meet the specifications of the Town of Vienna Tree Preservation and Planting Specifications Manual. The Manual will be available in hardcopy at the Department of Public Works and online available for download at www.viennava.gov.*
 3. *Existing trees which are to be preserved, and with no citations having been issued by the Town of Vienna throughout the duration of the project, may be included in the plan to meet all or part of the canopy requirements if the site plan identifies such trees and the trees meet standards of desirability and life expectancy established by the Town. Town of Vienna staff will perform a*

minimum of two unannounced site inspections to determine compliance with tree protection and preservation regulations during construction.

4. The Town Council may grant reasonable exceptions or deviations from the requirements of this section when strict application of the requirements would result in unnecessary or unreasonable hardship to the developer, or to allow for reasonable development of the following:
 - a. Areas devoid of woody materials.
 - b. Dedicated school sites.
 - c. Playing fields and other non-wooded areas and uses of a similar nature.
5. Violation of this section shall constitute a Class 3 misdemeanor punishable by fine of not more than \$250.00, and each day after the first during which such violation shall continue shall constitute a separate violation.

Section 2: This Ordinance shall become effective ten (10) days following notice of adoption by the Town Council.

Passed and approved this _____ day of _____, 2014.

, Mayor

ATTEST:

Town Clerk