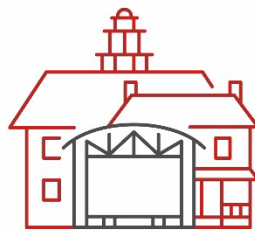


**FAIRFAX COUNTY**  
**ECONOMIC DEVELOPMENT SUPPORT FUND**  
**PROJECT PROPOSAL**



**TOWN OF**  
**VIENNA**  
*since 1890*

Town of Vienna  
Zoning and Subdivision Update  
November, 2018

DRAFT

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# 1. Summary

The Town of Vienna is requesting \$120,000 (50% of the total project cost of \$240,000) from Fairfax County's Economic Development Support Fund (EDSF) to retain a planning consultant to update the Town's zoning and subdivision ordinances. The Town has budgeted \$60,000 of general fund monies in FY 2019 for the project and is anticipated to budget another \$60,000 in FY 2020 for a total local contribution of \$120,000. This project meets the requirements of a "programming support" type of project.

Zoning plays a critical role in ensuring the Town's regulations are responsive to market conditions, thus providing for continued economic vitality and sustainability. Unfortunately, the Town of Vienna's last major zoning code changes occurred back in 1969, almost fifty years ago. In addition, a significant portion of the zoning code includes regulations that date back to the 1956 zoning ordinance.

Commercial and industrial uses only account for 10% of land uses in the Town. Of that, roughly 60% of the 3.5 million square feet of commercial and industrial uses are comprised of professional and office space, 30% is retail space with the remaining 10% being industrial uses. An updated zoning ordinance will reduce the amount of time and money required by the private sector to gather information about development rights and zoning regulations, thus being able to maximize limited land areas.

Development analyses which used to take days or weeks and may have cost hundreds to thousands of dollars to perform will be done more quickly and at a fraction of the cost. And by more closely aligning the zoning and subdivision ordinances to the Comprehensive Plan, the Town will be more likely to attract the type of development so desired here, i.e., more mixed-use, pedestrian-oriented development, rather than automobile-oriented, strip-mall development that currently dominates the Maple Avenue corridor.

## 2. Introduction

The Town of Vienna is an incorporated town located in the northeastern portion of Fairfax County. It encompasses 4.4 square miles and, according to the 2015 estimate,<sup>1</sup> has a population of 16,522. The median household income, in 2016 dollars, is \$143,276.<sup>2</sup> Vienna is located in close proximity to several regional employment centers, with Tysons situated immediately to its east. Residential uses make up a majority of land uses (71%), not including rights-of-way; commercial and industrial uses only account for 10% of land uses in the Town.

Roughly 60% of the 3.5 million square feet of commercial and industrial uses are comprised of professional and office space, 30% is retail space with the remaining 10% being industrial uses. Office buildings are primarily concentrated in the western half of Maple Avenue and in the CMP (Industrial Park) zoning district along Follin Lane and Electric Avenue. Retail uses are scattered along Maple Avenue and Church Street, as well as parts of Dominion Road and Mill Street, NE, and at the corner of Cedar Lane and Park Street.

Zoning plays a critical role in ensuring the Town's regulations are responsive to market conditions, thus providing for continued economic vitality and sustainability. Unfortunately, the Town of Vienna's last major zoning code changes occurred back in 1969, almost fifty years ago. In addition, a significant portion of the zoning code includes regulations that date back to the 1956 zoning ordinance.

The implementation of the Church Street Vision C-1B Pedestrian Commercial Zone (1999) and Maple Avenue Commercial (MAC) Zone (2014), provide developer incentives for revitalization in those areas, but outside of these two districts, much of the Town's zoning code is out of date, confusing, incomplete (not providing for current uses or standards, thereby being "silent" on various matters, and missing the latest General Assembly updates) and open to interpretation. This results in inconsistent determinations, increased frustration by citizens and developers and a growing number of requests for zoning interpretations, variances and litigation.

The current zoning and subdivision ordinances need to be comprehensively updated so the regulations are logically organized and easier to understand and navigate through the use of clear language, charts, tables and illustrations. The regulations also need to be consistent with the Code of Virginia and recent Supreme Court decisions with regards to sign regulations. An updated zoning code would incorporate contemporary zoning and best practices, providing more opportunity for redevelopment.

Across the country, communities are undertaking the major effort to update zoning codes that date back to the 1950s and 60s. In 2017, Fairfax County launched a major initiative to modernize its zoning ordinance, dubbed "zMod." The City of Fairfax adopted new zoning and subdivision ordinances in 2016. An update of the Town's zoning and subdivision ordinances will address modern situations and ensure future development is responsible and true to the community's vision for how Vienna should grow and evolve, as provided for in the Town's Comprehensive Plan.

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<sup>1</sup> U.S. Census Bureau

<sup>2</sup> Ibid.

### 3. Documented Need

The Implementation Chapter of the 2015 Update of the Town's Comprehensive Plan, adopted by Town Council on May 23, 2016, states that the primary way to implement the Plan is by updating and amending the Town's zoning ordinance (Chapter 9, pg. 156). The subdivision ordinance is also identified as needing to be updated and amended in order to implement recommendations included in the Plan.

In early 2017, Town Council referred a number of amendments of the zoning ordinance to the Planning Commission. Staff in the Department of Planning and Zoning have been working with the Planning Commission to address these much needed amendments but, due to current workload, have only been able to address a small number of them. At the current rate, it will take staff several years to address all of the necessary amendments, which still wouldn't address the underlying structural problems of the zoning and subdivision ordinances.

### 4. Project Goal

The goal of the update to the Town's zoning and subdivision ordinances is to implement the Town's Comprehensive Plan by creating modern zoning and subdivision ordinances that are logically organized and easier to understand and navigate; that includes updated regulations and standards for uses, parking, lighting, landscaping, signs, etc., along with streamlined reviews and approvals, where appropriate; that promote economic vibrancy and environmental sustainability; and are consistent with the Code of Virginia.

### 5. Scope of Work

It is anticipated that an update to the Town's zoning and subdivision ordinances (Chapters 18 and 17 of the Town Code, respectively) would take approximately 18 months to two years to complete. The process would be led by a consultant team with knowledge of best practices in land use planning, urban design and land use law, and experience drafting zoning and subdivision ordinances in the Commonwealth of Virginia. The process would include robust public engagement; it is our desire to have 100% awareness by the community. The scope of work is divided into six tasks:

#### **Task 1: Project Initiation and Orientation**

This includes background analysis of current policies and regulations, and outreach to elected officials, members of planning and zoning's boards and commissions, staff, and stakeholders, including residents, property owners, business owners, builders and developers to receive input on the strengths and weaknesses of the current regulations. Input may be solicited through a variety of ways, i.e., interviews, surveys, meetings, open houses, etc.

## **Task 2: Code Assessment**

In this task, the information and input obtained in Task 1 is synthesized in a code assessment that identifies the major goals for the update project, along with recommendations on how to address and integrate these goals in the updated regulations. The code assessment concludes with a detailed outline of how the updated regulations would be structured if the recommendations in the assessment are implemented.

## **Task 3: Draft Zoning and Subdivision Ordinances**

Task 3 includes the draft of the updated regulations. Because the zoning and subdivision ordinances are lengthy documents, drafting should be divided into three or four cohesive installments, or modules. The updates will be consistent with recommendations in the code assessment and follow the detailed outline. Meetings with elected officials and stakeholders will be held on the draft to receive public input. In addition to regular public meetings, creative efforts to receive input from the community should be sought. If any new zoning districts are proposed or any existing districts are renamed and/or consolidated, this task would also include preparing a revised zoning map.

## **Task 4: Test Draft Zoning and Subdivision Ordinances**

Next, the updated zoning and subdivision ordinances will be tested to verify whether they are achieving the goals for the project. The testing stage includes a side-by-side comparison of six examples of recently-approved developments with comparable hypothetical development in accordance with the draft zoning and subdivision ordinances.

## **Task 5: Prepare Public Hearing Draft of Zoning and Subdivision Ordinances**

After the results from testing in Task 4 and input on the draft zoning and subdivision ordinances in Task 3, updates will be made and a public hearing draft of the zoning and subdivision ordinances will be prepared. These materials will be reviewed during the public hearing process. The public hearing draft of the zoning and subdivision ordinances and zoning map is the comprehensive draft that will be considered for adoption.

## **Task 6: Procedures Manual and Application Forms**

After completing the public hearing draft in Task 5, a procedures manual to assist in the day-to-day implementation of the new zoning and subdivision ordinances will be prepared. The manual will serve as a “users’ guide” supplement to the new zoning and subdivision ordinances and will include details about application review procedures and schedules, and application submittal requirements. It will also include new application forms that are consistent with the requirements of the revised ordinances.



## 6. Budget

The following is the proposed budget and sources of funding.

	Town of Vienna	Fairfax County Economic Development Support Fund
<b>FY 2019</b>	\$60,000	\$120,000
<b>FY 2020</b>	\$60,000	
<b>TOTAL</b>	\$120,000	\$120,000
<b>TOTAL PROJECT COST</b>		<b>\$ 240,000</b>

## 7. Key Personnel

The following are the key personnel who will be responsible for completion of the project, as well as other personnel involved in the project.

Project Client	Mercury Payton, Town Manager, Town of Vienna
Sponsor	Supervisor Cathy Hudgins, Fairfax County Board of Supervisors, Hunter Mill District
Project Manager	Cindy Petkac, Director, Department of Planning and Zoning, Town of Vienna
Project Team	Staff from Departments of Planning and Zoning, Finance, Parks and Recreation, Public Works, Public Information Office, Town Attorney and Town Clerk

## 8. Evaluation

As stated earlier, commercial and industrial uses only account for 10% of land uses in the Town. Of that, roughly 60% of the 3.5 million square feet of commercial and industrial uses are comprised of professional and office space, 30% is retail space with the remaining 10% being industrial uses. An updated zoning ordinance will reduce the amount of time and money required by the private sector to gather information about development rights and zoning regulations, thus being able to maximize limited land areas.

Development analyses which used to take days or weeks and may have cost hundreds to thousands of dollars to perform will be done more quickly and at a fraction of the cost. And by more closely aligning the zoning and subdivision ordinances to the Comprehensive Plan, the Town will be more likely to attract the type of development so desired here, i.e., more mixed-use, pedestrian-oriented development, rather than the automobile-oriented, strip-mall development that currently dominates the Maple Avenue corridor.

## 9. Meet Objectives of Fairfax County Board of Supervisors

This project will satisfy the following objectives expressed by the Fairfax County Board of Supervisors:

- **Create efficient government.** By providing clear and current requirements, updated zoning and subdivision ordinances would spur increased economic development.
- **Create places where people want to be.** Updated zoning and subdivision ordinances will lead to redevelopment that invites citizens in to the Town to work, play, shop and dine where they live.
- **Achieve economic success.** Redevelopment of the Town's commercial areas, including Maple Avenue, will lead to increased commercial real estate values for both the Town and County, helping to diversify the economy and increase both the Town's and County's tax base.

## 10. Expected Pay-Back Period

Commercial redevelopment generating an increased assessed value of \$10 million would cover the County's investment of \$120,000 for this project. This would be a 1% increase in the Town's current commercial assessed value, which is generally less than one year's increase in assessed value.

The project length to update the zoning and subdivision ordinances is approximately 18 to 24 months, projected to begin in June, 2019. The County could expect a full pay back of its investment in the Town in one to two years after the completion of the project.

\_\_\_\_\_  
[Name], Project Client

\_\_\_\_\_  
[Name], Project Sponsor

\_\_\_\_\_  
[Name], Project Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_