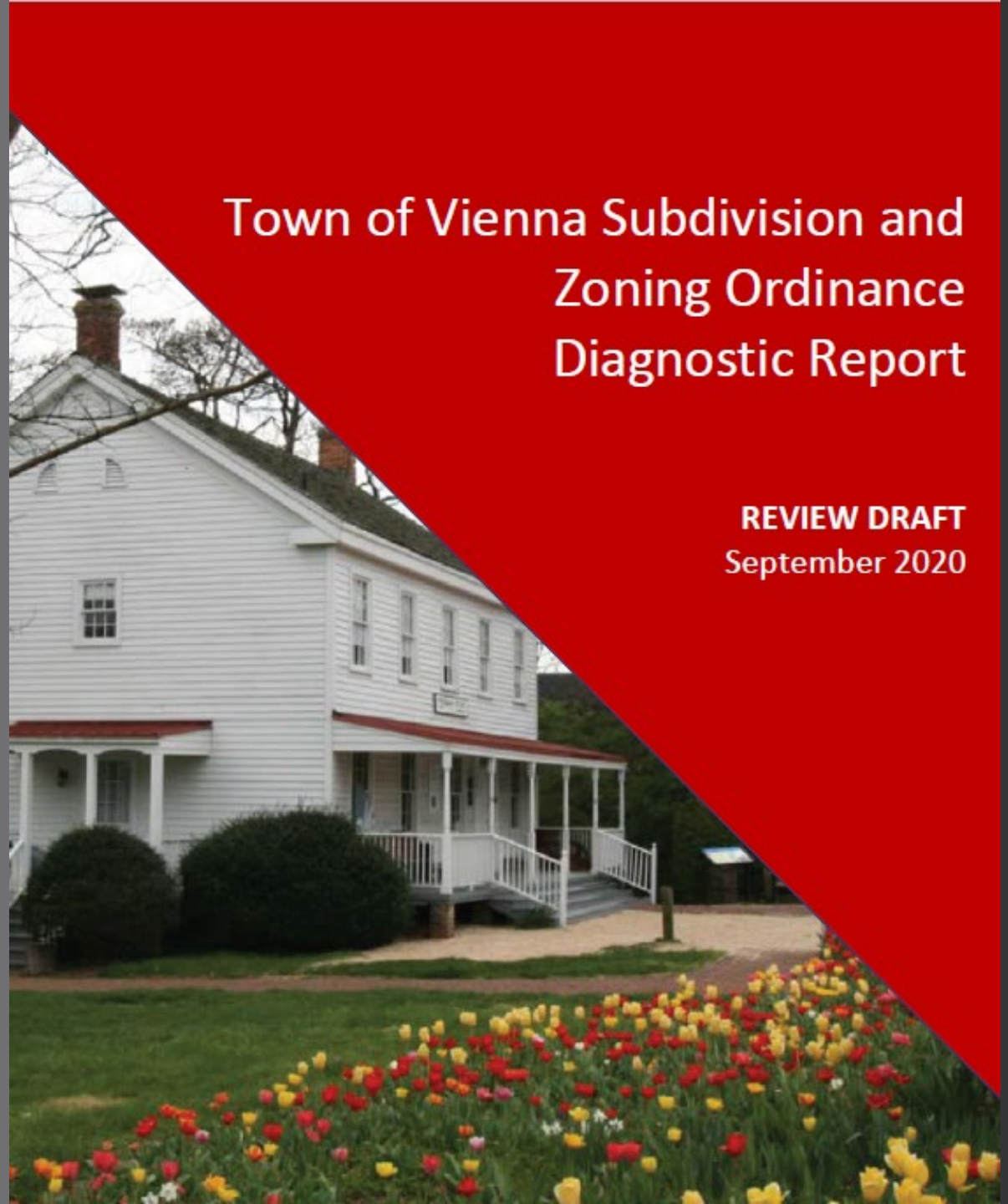


Town Council + Planning Commission Presentation

Vienna, Virginia

September 23, 2020

CALFEE ZONING
FROM BARRIERS TO OUTCOMES

Consulting Team

CALFEE ZONING
FROM BARRIERS TO OUTCOMES

YARD & COMPANY

NELSON NYGAARD

VENABLE LLP

Lead Consultant

Sean S. Suder, Esq.*, Lead Principal/Founder

- B.C.E.., University of Virginia School of Architecture
- J.D., University of Virginia School of Law
- Former Chief Counsel for Land Use and Planning, City of Cincinnati
- Author of Numerous Zoning Ordinances, Historic Preservation Ordinances, Sign Ordinances, Environmental Ordinances
- Frequent Speaker at Planning and Zoning Conferences
- *Admitted to practice law in OH, IN, KY, D.C.

*Admitted to practice law in OH, KY

CALFEE ZONING
FROM BARRIERS TO OUTCOMES

KEVIN WRIGHT

PRINCIPAL, DIRECTOR OF OPERATIONS + STRATEGY

JOE NICKOL, AICP

PRINCIPAL, DIRECTOR OF DESIGN + DEVELOPMENT

YARD & COMPANY

CHRISTOPHER FORINASH

Principal, DC Office Leader

NELSON NYGAARD

Kedrick Whitmore, Esq.,
Partner

VENABLE LLP

Evan Pritchard, Esq.,
Partner

Zoning in America: How We Got Here

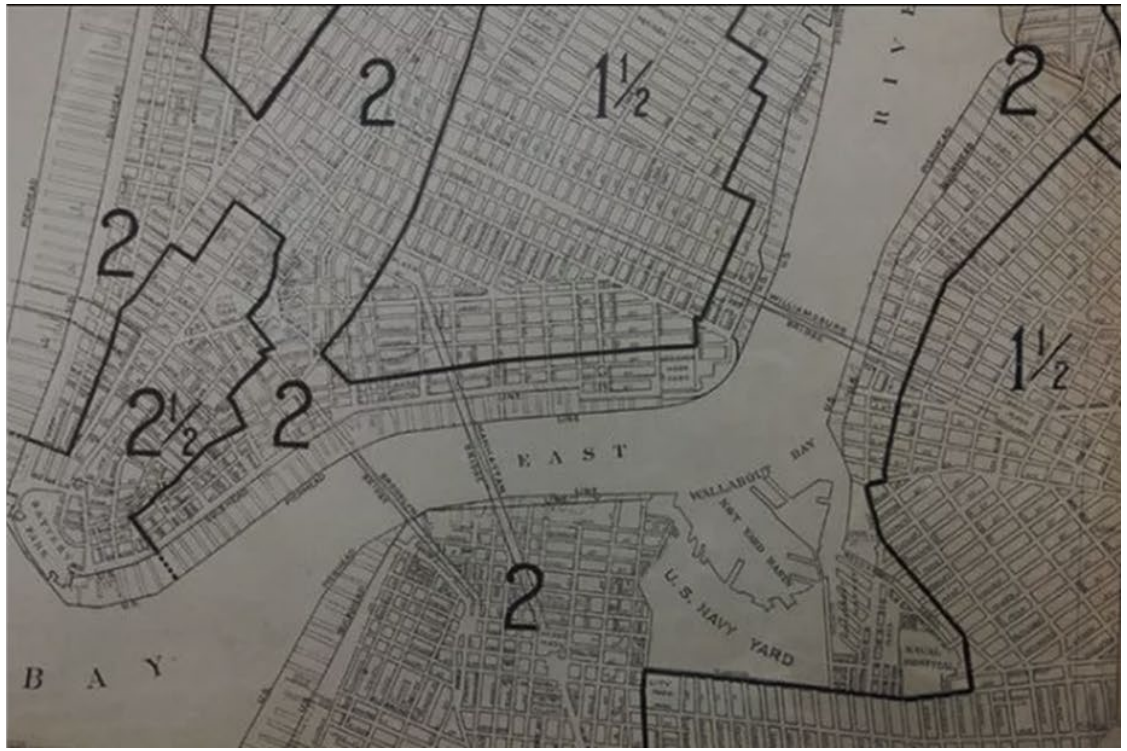
CITY OF NEW YORK

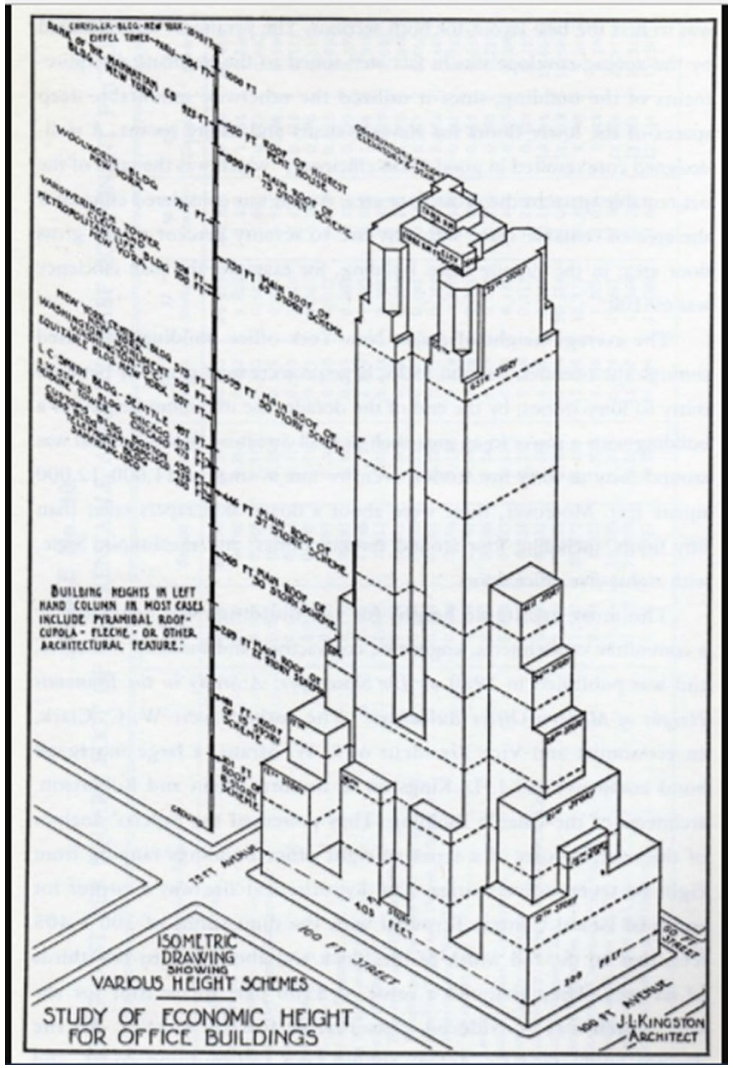
CODE OF ORDINANCES

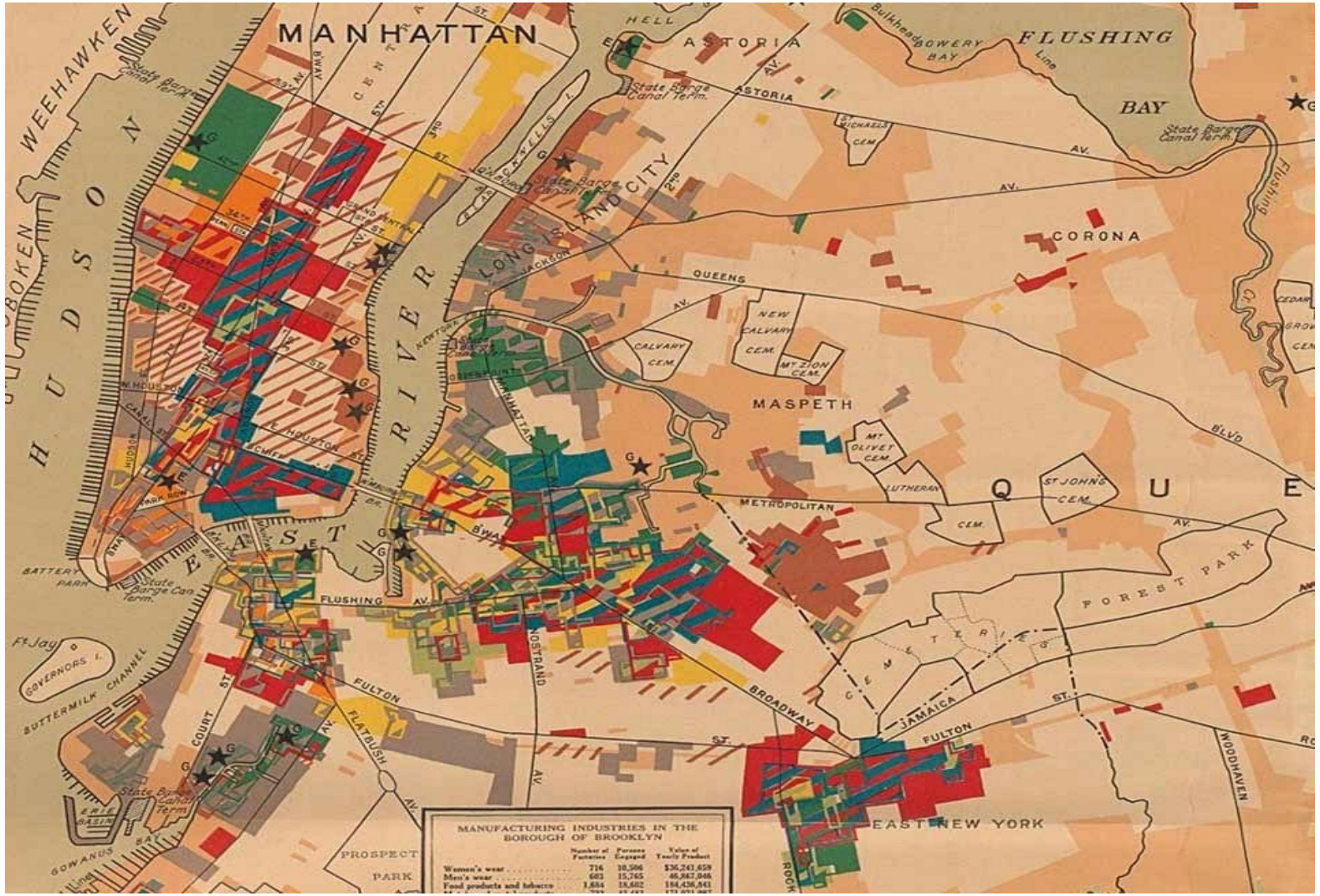
CHAPTER 5

*BUILDING CODE

Art.	Effective	Page
1. General provisions	March 14, 1916.....	4
2. Materials	March 30, 1915.....	11
3. Working stresses and loads...	March 30, 1915.....	15
4. Classification of buildings.....	March 30, 1915.....	21
5. Restricted areas	March 30, 1915.....	25
6. Height, size and arrangement.	.....	34
7. Light and ventilation.....	March 14, 1916.....	34
8. Exit facilities	March 14, 1916.....	37




BUILDING HEIGHTS IN LEFT HAND COLUMN IN MOST CASES INCLUDE PYRAMIDAL ROOF-CUPOLA - FLECHE - OR OTHER ARCHITECTURAL FEATURE.
ISOMETRIC DRAWING SHOWING VARIOUS HEIGHT SCHEMES
STUDY OF ECONOMIC HEIGHT FOR OFFICE BUILDINGS
J.L. KINGSTON ARCHITECT


MANHATTAN
WEEHAWKEN
HUDSON
RIVER
EAST
LONG ISLAND CITY
ASTORIA
FLUSHING
BAY
CORONA
MASPETH
QUEEN
EAST NEW YORK
FOREST PARK
PROSPECT PARK
GOVERNORS I.
Ft Jay
BATTERY PARK
BROADWAY
FULTON
FLUSHING AV.
JAMAICA
METROPOLITAN
QUEENS
ASTORIA
MANUFACTURING INDUSTRIES IN THE BOROUGH OF BROOKLYN

Zoning in Vienna: How We Got Here

From undeveloped to developed in one generation. This is no accident. It is zoning.

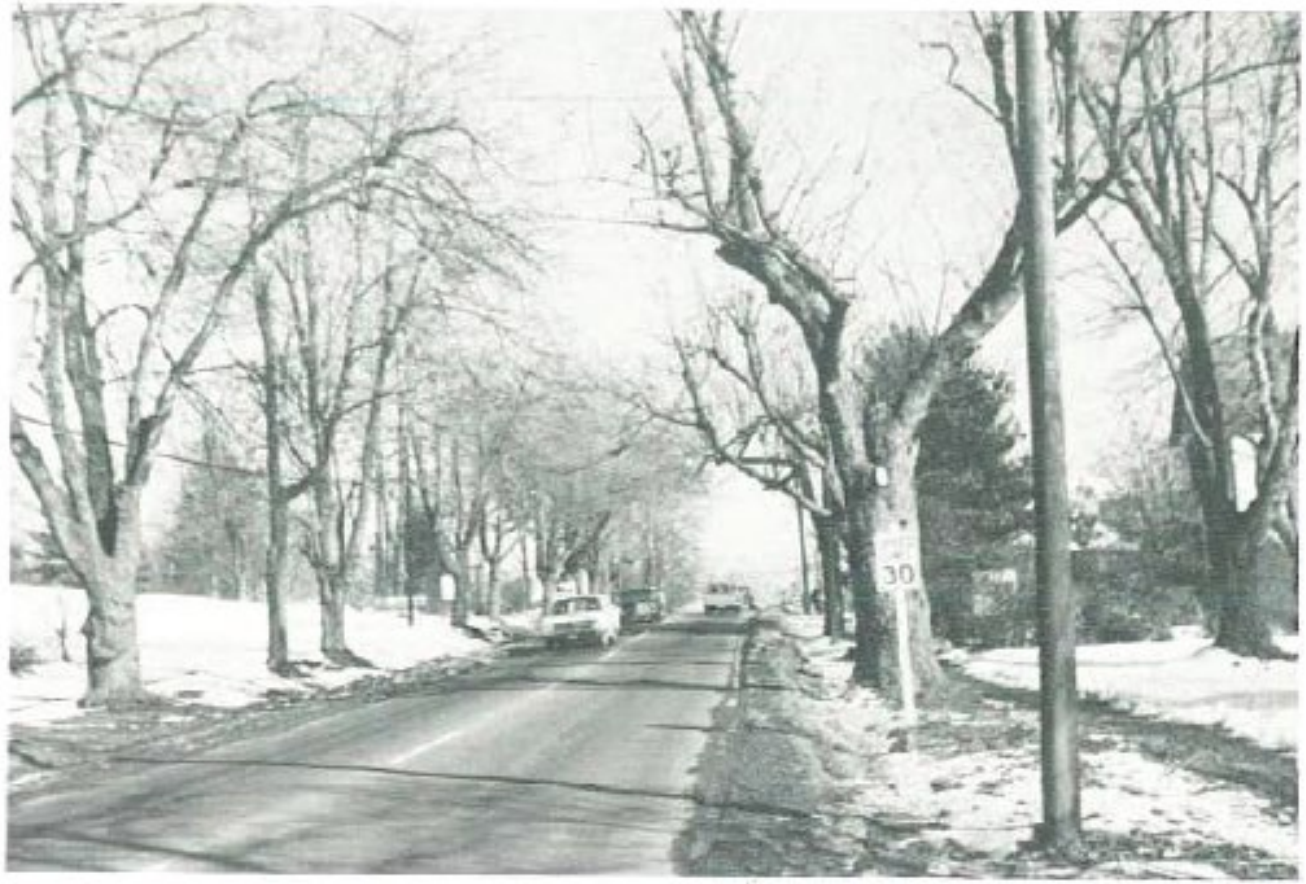
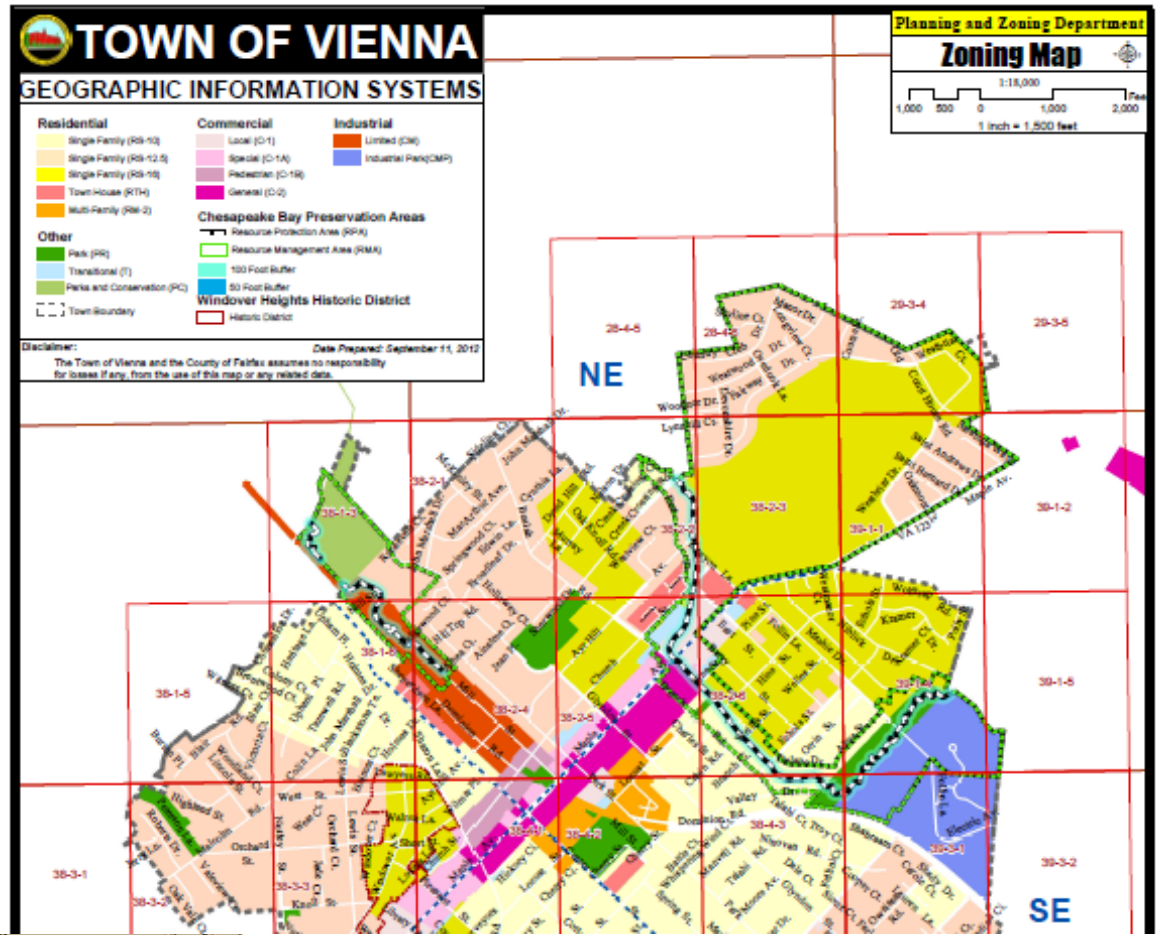


Fig. 39-80
A scene on Maple Avenue, W., about 1958, before it was widened. This shows the "Swap Shop" sign on the left, operated by Mr. and Mrs. Henry Ware. DeHart's house and barn are to the right. Jades Shopping Center now occupies the area to the immediate right, and the Maple Professional Park is to the left.

Vienna, 1958

Vienna Zoning Map, 1959



REVISIONS:

02/12/60, 09/15/60, 08/18/61
06/22/64, 11/30/65, 01/03/66
06/17/71, 06/23/72, 02/19/74
01/---/75, 04/---/75, 12/15/75
12/18/75, 11/02/77, 07/17/78
06/05/80, 05/06/81, 02/27/86

Residential
- Single Family (RS-10)
- Single Family (RS-12.5)
- Single Family (RS-16)
- Town House (RTH)
- Multi-Family (RM-2)

Commercial
- Local (C-1)
- Special (C-1A)
- Pedestrian (C-1B)
- General (C-2)

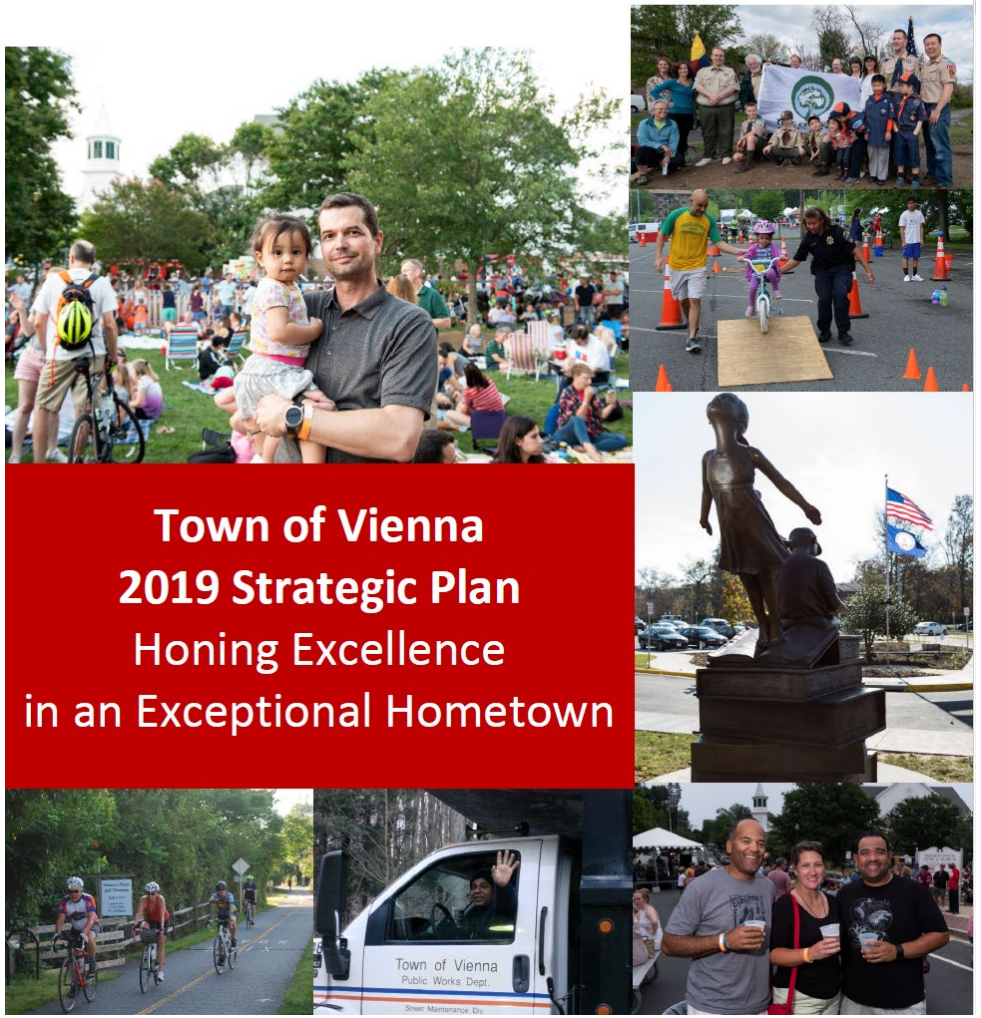
Industrial
- Limited (CM)
- Industrial Park(CMP)

Other
- Park (PR)
- Transitional (T)
- Parks and Conservation (PC)
- Town Boundary

Chesapeake Bay Preservation Areas
- Resource Protection Area (RPA)
- Resource Management Area (RMA)
- 100 Foot Buffer
- 50 Foot Buffer

Windover Heights Historic District
- Historic District

DOLLAR TREE
Bank of America
HSBC
Image: Joanne S. Lawton



Vienna as an economically prosperous community

The Town of Vienna will be a distinctive, dynamic, and vibrant 21st century community and location of choice for unique, independent businesses that add to the Town's charm, attract visitors as well as residents, and, collectively, serve to establish the Town as a destination. We will strive to create a healthy balance of businesses in order to enhance citizens' quality of life and increase the Town's nonresidential tax base.

Strategy (Objective)	Action Steps	Target Date	Lead Responsibility
Update Town's zoning code.	Encourage wide variety of housing options to attract diverse populations of all ages.	Ongoing	Planning and Zoning, Town Council
	Issue an RFP for consultant to lead zoning code update.	2019	Planning and Zoning, Finance
	Engage staff, Town Council, boards, and citizens in zoning code update process.	2020-2022	Planning and Zoning
	Update signage policies.	2020-2022	Planning and Zoning, Town Council
	Adopt an updated code.	2022	Town Council

Our Zoning Philosophy

- Zoning Should Respect Existing and Reflect Desired Development Patterns

  - We are not “throwing the baby out with the bathwater.”

- Zoning Should Regulate Only What Actually Needs to be Regulated and Focus on Desired Outcomes

  - Focus on what we are most trying to achieve.

- Zoning Should be the Implementation of the Plan Rather than a Barrier to Achieving the Vision

  - Focus on the vision for the community and code to it.

Analysis of Existing Code

- Review each section/subsection to determine whether advancing the Town's land use vision and goals:

  - Vienna as a complete community
  - Encourage housing for residents of all age groups
  - Maintain and strengthen the Central Business District within existing boundaries
  - Create a more walkable Vienna
  - Ensure that Vienna retains its unique single-family residential character and quality of life

Analysis of Existing Code

- Overall User-Friendliness and Simplicity
  - Lacking variety of ways to convey regulations (i.e. graphics, tables, charts, diagrams)
  - Wordy and hard to navigate if looking for a simple answer (e.g. what can I do on my property?)
  - Difficult to navigate processes

Consistency Review and Analysis

- Overall Takeaways
  - Code does what it was intended to do since inception – retain the Town's single-family residential character
  - Code serves as a barrier or does nothing to advance the other four land use goals
  - Scores lowest re: Land Use Goal #2 – "Encourage Housing for Residents of All Age Groups"

Vienna as a Complete Community

Scoring Summary (out of 461 Zoning Code subsections)

=	+	-
396	26	39

- Code is not a placemaking code with attention to the interaction between the public and private realm

- Does not focus on enhancing Vienna's character or uniqueness; focused on land use segregation

Encourage Housing for Residents of all Age Groups

Scoring Summary (out of 461 Zoning Code subsections)

=	+	-
397	9	25

- Single-family zoning is the Code's focus
- Aging-in-Vienna and inter-generational housing is not the focus of the Code

Maintain and Strengthen the Central Business District within Existing Boundaries

Scoring Summary (out of 461 Zoning Code subsections)

=	+	-
420	6	35

- "General Commercial" = Warning sign = 1950's/1960's zoning = what you got
- One-size-fits-all zoning for a long and diverse corridor
- CBD is "main and main" not miles long corridor
- Corridor should be part of the fabric of the neighborhoods – not just a pass through or treated the same as the CBD

Create a More Walkable Vienna

Scoring Summary (out of 461 Zoning Code subsections)

=	+	-
420	6	35

- Code wasn't adopted for walkability, it was made for drivability
- Huge opportunity to connect walkable neighborhoods to walkable commercial/mixed-use nodes along Maple Avenue
- Streets are just as important as land uses and building form
- Stop calling it Maple Avenue "Corridor." No one wants to walk, bike, live on a "corridor." Makes it sounds like a drivable pass through.
- Focus on ¼ to ½ mile walksheds from each intersection on Maple Avenue

Create a More Walkable Vienna

- Courthouse is end of CBD to the west
- Park is end of CBD to the east
- 16 vehicular feeds into Maple
- Focus on how Maple Avenue relates to the surrounding uses in the walkshed rather than its identity as a car corridor

Ensure that Vienna Retains its Unique Single-Family Residential Character and Quality of Life

Scoring Summary (out of 461 Zoning Code subsections)

=	+	-
395	32	34

- Code is built for this, but single-family residential isn't the same as it was in the 1950's and 1960's
- Code needs to adapt to new concepts of single-family residential character
- Single-family does not mean cut off from everything else and only accessible by car
- Single-family must be inter-generational to maintain its long-term value

Summary Conclusions

- Current zoning does a good job of maintaining single-family residential character of the Town, but fails to account for suitable locations for small-scale, missing-middle housing
- The commercial uses in the Code are out-of-date and do not reflect current desired uses in the market
- Street standards are outmoded
- Lacking much-needed infill guidelines/regulations
- One-size-fits-all commercial zoning is not advancing the Town's vision

Summary Recommendations

- Single-family residential is largely built out. Consolidate single-family zones and focus on creating standards for infill, additions, and new construction

- Update the uses for the Town's commercial areas

- Update subdivision and street standards to allow for more walkable places

- Allow for "missing-middle" housing to attract young professionals and empty nesters

- Allow for senior and assisted living as a land use so that residents can age in Vienna

- Reconsider Maple Avenue as a series of unique places and nodes and custom craft multiple districts to reflect the desired development/redevelopment outcomes in each – focus on how Maple Avenue relates to the residential areas that feed into it rather than Maple Avenue as a long corridor

Thank you for this opportunity to serve your Town.

Questions before we turn it over to Yard & Company to discuss engagement?

Immediate Next Steps

- Implement public engagement strategy
- Craft draft menu of districts/zones
- Calibrate draft standards for each district/zone
- Engagement on draft districts/zones and standards