

## MEMORANDUM

To: Honorable Mayor Colbert and Town Council Members  
Chairman Kenney and Planning Commission Members  
Mercury Payton, Town Manager  
Cindy Petkac, DPZ Director

From: Sean Suder, Lead Principal

Date: January 26, 2021

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

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The first substantive step in the process to clarify, simplify, reorganize and update the Town of Vienna zoning and subdivision ordinances is to calibrate the development standards for each zone and district. 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. At working sessions of the Planning Commission and Town Council on February 3 and 4, 2021, respectively, we turn our attention to the Town's other areas, in particular the Maple Avenue Corridor, and the Town's other predominantly non-residential areas (commercial, industrial, etc.). Note that this memo is intended to be read in conjunction with the PowerPoint presentation provided for these meetings.

While the residential zones will remain primarily unchanged save for a few standards relative to lot coverage and setbacks, the non-residential zones present the greatest opportunity for noticeable and impactful change. For example, new gateway districts will be able to better guide development patterns along Maple Avenue at the Town's east and west borders. A new Avenue Center district will apply the pedestrian-oriented principals of the Church Street district to strengthen the Town's core. The zoning of the existing light industrial area adjacent to the Town center will more robustly respond to new opportunities for trail-oriented development and amenities in connection with an already robust maker district. A maker district is a place where creativity thrives, innovation happens, and small-scale production occurs.

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 will calibrate a set of development standards, including, lighting, parking, signage, landscaping, etc. for your review and input.

### **Guiding Documents**

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:

- 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.
- 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.
- 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.

### **The Vienna Non-Residential Zones/Districts**

Unlike the residential zones, the non-residential districts are mostly based on a specific geographic area of Vienna and should be calibrated and named to align with and reflect existing and desired development patterns within them more closely. We propose a new set of districts and zones as follows:

Existing Zones	Proposed Districts and Zones
Local Commercial (C-1); Special Commercial (C-1A); General Commercial (C-2)	Avenue West Gateway District (AW) Avenue East Gateway District (AE) Avenue Center District (AC)
Pedestrian Commercial (C-1B)	Church Street District (CS)
Limited Industrial (CM)	Mill District (M)
Industrial Park (CMP)	Corporate Park District (CP)
Transitional (T); Local Commercial (C-1)	Neighborhood Transitional Zone (NT)
Parks and Recreational (PR)	Parks and Recreational Zone (PR)

Parks and Conservation (PC)	Parks and Conservation Zone (PC)
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In certain instances, we propose creating new districts focused on desired development patterns, as with the creation of new geographic-based Avenue Districts (Avenue Center District – AC; Avenue West Gateway District – AW; Avenue East Gateway District – AE). In other instances, we propose simply changing the name to describe the districts more effectively, such as the Mill District – M (replacing the Limited Industrial - CM) and the Corporate Park District – CP (replacing the Industrial Park – CMP).

Districts are geographic based that are mapped around a unique development pattern (e.g. Church Street District). Zones are not specific to a particular geography but may be mapped in multiple locations (e.g. Neighborhood Transitional Zone) where there are similar development patterns and uses in multiple areas of town. Districts are calibrated to desired development patterns and uses and can be more frequently re-calibrated to adjust for evolving conditions in a particular place. They lend themselves to by-right development patterns and uses because they can be more particularly calibrated and re-calibrated to desired outcomes without the risk of unintended consequences in other areas of town. A mix of districts and zones avoids one-size-fits-all zoning and allows for a mix of methodologies (i.e. form-based, Euclidean, hybrid).

All suggestions related to built form and uses herein will be informed by the Town's market analysis currently underway.

An introduction to each proposed new district and zone is set forth below.

### **Summaries of Proposed Non-Residential Zones/Districts**

#### **Special Commercial (C-1A); General Commercial (C-2) ➡ Avenue Center District (AC)**

The Avenue Center District is intended to extend the pedestrian-oriented context of the adjacent Church Street District to the Avenue to create a more pronounced and stronger Town center. While Maple Avenue will remain a busy regional connection to and from Tysons, this portion of the Avenue provides the greatest opportunity for pedestrian orientation. The current zoning along this portion of the Avenue allows for the type of development that exists; primarily single-story development with parking to the side or rear of buildings.

The current zoning in this area is a mix of C-1A and C-2 zoning. These zones, which are remnants of the auto-oriented zoning from the 1960's, are relatively indistinguishable from one another, and can be combined. The new naming is more descriptive of the geographic location of the district.

#### **Built Form:**

Buildings in the AC District will be of a form similar to those along Church Street. We propose allowing new buildings in the AC District a height of up to 60 feet (including

architectural elements, which allows four-story buildings with first floor commercial ceiling heights of 18 feet). Additionally, 100% of the ground floor is to be devoted to commercial or other public-facing uses. All parking is to be located in the rear or side of the lot with a minimum 60% ground floor transparency along the Avenue. This will continue the existing built form to new development within the district. All of the proposed requirements more closely align with the Church Street District development pattern and will result in the creation of a stronger sense of place in Vienna's center.

#### Uses:

Proposed uses will be a mix of small-scale retail and commercial uses distinguished between the ground floor and upper floors of a building. Upper floor multi-unit residential uses would be permitted by right. Larger scale/format retail would be allowed only if approved as a CUP. Boutique hotels should also be added as a permitted use in this district.

#### **Local Commercial (C-1); Special Commercial (C-1A); General Commercial (C-2)** **Avenue Gateway Districts – Avenue East (AE) and Avenue West (AW)**

The Avenue is the gateway to Vienna. As such, it is important to pay special attention to the areas along the Town's east and west borders. We propose replacing the current mix of commercial zones in these key areas in favor of two new districts: Avenue West Gateway District (AW); and Avenue East Gateway District (AE). The purpose of these new districts is to calibrate desired development outcomes that frame these key gateways.

#### Built Form:

We propose creating frontages defined by 20-foot-wide pedestrian activity areas for gathering and dining. Parking should be in the rear of buildings. We propose requiring at least one side yard setback of 12 feet to allow for vehicular access to rear parking (currently zero or five feet). Also, to address resident concerns heard during the MAC community engagement process, we propose increasing the minimum rear yard setback to 30 feet (currently 10 feet) to allow for rear yard parking and additional buffering of adjacent uses. Additionally, we propose including a maximum building height of 40 feet. This will allow some flexibility and variability for new buildings.

All together this will create a greater sense of place in these districts. Each of the AE and AW Districts would be treated the same in terms of building place and massing; however, we recommend that two separate districts be created so that further calibrations and amendments can be made specifically within each as things evolve over time.

#### Uses:

Uses would include a mix of commercial uses similar to what is permitted currently. While large scale/format retail would be a CUP in the Avenue Center District (AC), it would be permitted in the Avenue Gateway Districts (AE & AW). More emphasis would be placed on the built form than uses in these districts. Additional uses, including daycare facilities

and senior/assisted living facilities, should be considered in the Avenue Gateway Districts.

### **Limited Industrial (CM) ➡ Mill District (M)**

The existing Limited Industrial zone is a unique development pattern in Vienna. It reflects a former railroad-centered industrial area that is now trail-oriented. While most of the land uses remain light industrial, new land uses have recently been introduced including a brewery and a bakery. These land uses are consumer-focused maker spaces; a highly desirable modern use. The change of name from “Limited Industrial” to “Mill District” will allow this unique area to be more easily identified and more effectively branded.

#### Built Form:

Buffering this district from nearby residential uses requires an increased minimum buffer yard. New buildings on the west side of Mill should have two frontages if possible: one along Mill, and the other along the trail. New buildings should have a trail focus and orientation and should include outdoor dining and trail-oriented commercial uses.

#### Uses:

Uses should continue to include a range of artisan production, maker, and other light-industrial uses.

### **Pedestrian Commercial Zone (C-1B) ➡ Church Street District (CS)**

The Church Street Vision option in the current C-1B district regulations reflect best practices for pedestrian-oriented and walkable-scale design and should be made mandatory rather than optional. Many of the principals of this zone can and should be carried through to other parts of the Avenue, particularly the Avenue Center (AC), to enhance the sense of place and walkability. Our primary recommendations for the CS District include renaming it to be more descriptive of the geographic area and development pattern.

### **Industrial Park (CMP) ➡ Corporate Park District (CP)**

This area represents a unique development pattern not likely to be repeated elsewhere in Vienna. As such, it requires its own zoning district. The change in name to “Corporate Park District” better describes the types of uses currently located and desired there. The district presents an opportunity for new development and redevelopment.

#### Built Form:

The built form in this district is largely set, but there are some changes that can improve the district, including, among other things, updating the signage regulations and revising performance standards.

#### Uses:

Uses should remain office park uses, but additional desirable permitted uses such as data center should be added to allow for absorption of some of the existing vacancy. The market study will inform what other uses would be viable for this district.

### **Transitional (T) and Local Commercial (C-1) Zones ➡ Neighborhood Transitional Zone (NT)**

The purpose and intent of this zone remains to provide a context-sensitive transition between the higher-intensity commercial uses of the Avenue and the surrounding low-intensity single-family neighborhoods. The addition of “Neighborhood” to the name is to emphasize the intended orientation of these zones as a neighborhood amenity and to reflect the neighborhood-scale of development therein.

#### **Built Form:**

Commercial buildings in these areas should reflect a residential scale of a maximum height of 35 feet.

To create a strong pedestrian connection between the Town’s neighborhoods and commercial areas, NT zones should be required to have street-facing first floor commercial and public-facing uses within the entire first floor of the building. Further, in addition to the minimum front yard setbacks, currently 15 feet, a maximum front yard setback of 35 feet should be added. Parking is to be located in the rear or along the side of a building. Front yard parking is prohibited.

#### **Uses:**

While NT zones would exclude residential uses as of right, these zones may be appropriate for cottage court residential developments and we propose including them as conditional uses.

No other changes are currently proposed to the existing T and C-1 zone standards.

### **Parks and Recreational Zone (PR) and Parks and Conservation Zone (PC)**

These areas are amenities for the Town’s residents. Their impact on surrounding land uses is more consequential than the zoning for these areas.

#### **Built Form:**

All lighting in the PR and PC is currently approved by CUP (Conditional Use Permit). We propose including a set for clear, by-right lighting standards. Additionally, these zones currently include minimum lot width requirements, which eliminates the possibility for the creation of new small “pocket parks.” We propose removing the minimum lot width requirements.

#### **Uses:**

All parks and outdoor recreation uses should be permitted (as opposed to some being permitted and others being CUP) in the PR and PC zones.

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In summary, a new set of consolidated, geographic and context specific commercially focused districts will allow for desired development patterns to be more particularly calibrated now and into the future.

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