



Town of Vienna

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Meeting Minutes Planning Commission

Wednesday, September 9, 2020

7:30 PM

COUNCIL CHAMBERS-VIENNA TOWN
HALL

Continuity of Government - Electronic Participation

To participate in this meeting via Zoom please visit the Town's website: viennava.gov/publicparticipation to register

The Planning Commission met in regular session on Wednesday, September 9, 2020, at 7:30 p.m. in the Council Chambers of the Vienna Town Hall, 127 Center Street South, Vienna, Virginia. Adoption of the Continuity of Government allowed the following to participate electronically: Stephen Kenney, Chairman presiding, David Miller, Julie Hays, Andrew Meren, Sarah Couchman, David Patariu, Sharon Baum, Michael Gelb, and Jessica Plowgian. Staff members Frank Simeck, Town Zoning Administrator, Kelly O'Brien, Principal Planner, and Clerk to the Commission Jennifer Murphy were present at Town Hall. Additional staff members, Cindy Petkac, Director of Planning & Zoning, Andrea West, town Planner, and John Jay Sergeant, Town Engineer participated via Zoom.

Roll Call

All members present

Resolution for Continuity of Government

Chairman Kenney read resolution aloud for the record.

Motion: Miller

Roll Call Vote: 9-0

Communication from Citizens and/or Commissioners

Commissioner Hays verified that commissioners should not email the commission as it violates open meeting laws. Agreeing, Chairman Kenney suggested commissioners email him directly any questions or comment.

Staff reminded the Commission of the upcoming September 23rd joint work session with Town Council. This will be a kickoff meeting with the consultant to discuss the upcoming zoning code update. Staff will send out work session materials.

Chairman Kenney noted that there had been some community conversation about utility wires left in town right-of-way by utility companies. A brief discussion occurred. It being town right-of-way Chairman Kenney will draft a memo to the Department of Public Works.

Commissioner Meren asked if there will be discussions on best use of the upcoming purchase of 301 Center St N. Staff advised that there are currently no long-term plans for the property. There are short term plans for temporary housing of the police station. Commissioner Meren hoped that the Town would take the opportunity to review and discuss best options for that and all Town-owned properties in a more comprehensive manner

Commissioner Patariu asked if the town owned Beulah Road property that currently houses the Town's mulching facility was being considered. Staff explained that Town Council is scheduling a work session on the Beulah Road property including the mulch yard for October 19, 2020. This will include other newly acquired properties purchased within the last year to consider their best public use.

Public Hearings

Public Hearing on Proposed Amendments to Chapter 18 - Zoning, Article 19 - Nameplates and Signs relating to Temporary Sign Regulations

Cindy Petkac, Director of the Department of Planning & Zoning presented revised draft code language for non-content based temporary signs. Proposed amendment language is as discussed at the two Planning Commission work sessions held in August. New definitions to Banner, temporary sign, window signs, and yard signs. Differentiating yard sign For Sale or Rent. Exempt sign or signs not requiring a permit. They do have temporary signage addressed in the subject section. The recommendation to remove the reference to temporary window signs in subsection 2. Of the Town Code and to remove For Sale/For Rent sign shown in subsection 5; creating a new subsection 4. With a Table outlining standards for types of temporary signs. She noted being content neutral it is based upon type, size, duration, and where permitted or located. Two category residential parks, institutions land uses; the other for commercial and industrial land uses.

Additional amendments to cleaning language for prohibited signs. Temporary signs are addressed in section 18-185E being removed since it is now located in the previous table highlighted.

Chairman Kenney asked for comment from the commissioners. There being none, Chairman Kenney asked for persons wishing to speak present or participating online.

Shelly Ebert participating via Zoom stated that she provided written comments earlier. Chairman Kenney summarized comments, which asking for clarification on window signs when there are no standard sized windows. Andrea West, Planner with the Department of Planning & Zoning and staff representative to the Board of Architectural Review, stated that the number is to keep window view open and clear as they were intended to function. Not linked to a specific reason. It is the same for businesses as it is for residential. Chairman Kenney asked for the sizes seen requested. Ms. West responded that temporary signs are currently exempt so she would not have very much data.

Ms. Ebert suggested that temporary sign sizes correspond to the size of the yard, similar to window sign regulations.

There being no further public comment the public hearing was closed.

*Motion: Miller
Second: Gelb
Roll call vote: 9-0*

Commissioner Patariu requested consideration of amendment language to Sec. 18-178 Prohibited signs and sign structures for signs meant to communicate an intent or meant to communicate a threat to a person or groups of persons. Additional discussion followed.

Chairman Kenney asked Commissioner Patariu to address his other comments with respect to amendments to Holiday decorations or affiliated signage. Commissioner Patariu stated that he would suggest including the word "static" to language for yard sign. Mr. Simeck stated that seasonal displays references commercial section. The Town Code is currently silent on holiday sign decorations in residential zones. Ms. Petkac stated that staff believes the code is silent to allow seasonal displays. Town Code §18-1178; Moving displays can be addressed during the Town's Zoning Code update. This amendment is for temporary signs.

Chairman Kenney stated revised language supports Card My Yard style temporary signs. There is no limit to the quantity. Commissioner Patariu stated that the term "static" referenced non-content and suggested providing a character limit. Additional discussion followed with commissioners expressing a preference for least restrictive language.

There being no further discussion, Chairman Kenney called the question.

Commissioner Miller made a motion that recommendation be made to Town Council on proposed amendments to Chapter 18 - Zoning, Article 19 - Nameplates and Signs relating to Temporary Sign Regulations be accepted as presented.

Commissioner Couchman seconded the motion.

Commissioner Patariu made a motion to amend the language presented of section 7 for signs meant to communicate and intent to commit an act of unlawful violence to a particular individual or groups of individuals with directs of threats to a person or groups of persons with the intent of placing the victim of clear and bodily harm with the footnote as presented.

*Motion to amend: Patariu
Seconded: Gelb
Roll call vote: 2-7
Nays: Miller, Hays, Meren, Baum, Plowgian, Couchman, & Kenney*

Motion to amend fails. The Commission considered the original motion:

Commissioner Miller made a motion that recommendation be made to Town Council on proposed amendments to Chapter 18 - Zoning, Article 19 - Nameplates and Signs relating to Temporary Sign Regulations be accepted as presented.

*Motion: Miller
Seconded: Couchman
Roll call vote: 9-0*

Regular Business - None**Approval of the Minutes:**

The following meeting minutes were accepted with minor edits provided to the clerk.

May 13, 2020 Regular Meeting Mins

May 27, 2020 - Regular Meeting Mins

Meeting Adjournment

Ms. Petkac reminded everyone of the September 23, 2020 joint work session with staff and Town Council.

The commission briefly discussed the Courthouse Rd rezoning request and ways of being proactive in identifying similar split-zoned properties in town. Staff suggested focusing on the text amendment. Once completed they can then identify properties that are split-zoned or not zoned consistent with recommendations of the comprehensive plan.

The meeting adjourned at 8:38 pm.

Respectfully submitted,

*Jennifer Murphy
Clerk to the Board*

THE TOWN OF VIENNA IS COMMITTED TO FULL COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT STANDARDS. TRANSLATION SERVICES, ASSISTANCE OR ACCOMMODATION REQUESTS FROM PERSONS WITH DISABILITIES ARE TO BE REQUESTED NOT LESS THAN 3 WORKING DAYS BEFORE THE DAY OF THE EVENT. PLEASE CALL (703) 255-6304, OR 711 VIRGINIA RELAY SERVICE FOR THE HEARING IMPAIRED.