



## Legislation Details (With Text)

**File #:** 17-646      **Version:** 1      **Name:**  
**Type:** Action Item      **Status:** Agenda Ready  
**File created:** 10/31/2017      **In control:** Town Council Meeting  
**On agenda:** 11/13/2017      **Final action:**

**Title:** Public hearing to consider Planning Commission recommendations on proposed amendments to Section 18-72 - (Restaurants) C-1 Permitted Uses under Article 11, and Section 18-4 - Definitions under Article 2 of Chapter 18 of the Vienna Town Code.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Restaurant Ordinance 11-13-17, 2. RESTAURANT CODE CHANGE - CHAPTER 18 - ARTICLE 11, 3. RESTAURANT CODE CHANGE - CHAPTER 18 - ARTICLE 2, 4. TC STAFF REPORT - RESTAURANT CODE CHANGE - 11-13-17

Date	Ver.	Action By	Action	Result
11/13/2017	1	Town Council Meeting	approved	Pass

**Subject:**

Public hearing to consider Planning Commission recommendations on proposed amendments to Section 18-72 - (Restaurants) C-1 Permitted Uses under Article 11, and Section 18-4 - Definitions under Article 2 of Chapter 18 of the Vienna Town Code.

**EXPLANATION AND SUMMARY :**

On July 10, 2017, as part of the approved zoning code review work program, Town Council referred Zoning Ordinance amendments related to Section 18-72 to the Planning Commission to review and recommend changes. The primary change related to restrictions on restaurants. The Planning Commission held several work sessions and made some additional minor changes to the ordinance. The Commission held a public hearing September 13, 2017 and voted unanimously to recommend that Council approve these amendments.

As of today, there are at least 18 buildings along Maple Avenue and Church Street that do not meet the criteria of a shopping center, have enough parking to accommodate 125 seats, or meet other criteria listed under 18-72.2.

The current restaurant provisions have limited the types of tenants that certain buildings are permitted to house in commercial zoning districts (C-1, C-1A, C-1B, C-2) and, if there is sufficient parking for the use, in the limited industrial zoning district (CM).

The proposed code amendments would remove existing minimum seat and location criteria for restaurants and allow restaurants as a by-right use anywhere in the C-1 zoning district (and therefore the C-1A, C-1B, C-2, and CM zoning districts - due to cumulative zoning).

**Departmental Recommendation** : Staff recommends that Council hold a public hearing to consider Planning Commission recommendations on proposed ordinance language amendments to Section 18-72 - (Restaurants) C-1 Permitted Uses under Article 11 of Chapter 18 and Section 18-4 - Definitions under Article 2 of Chapter 18 of the Vienna Town Code. Staff also recommends that Council approve the changes and direct the Town Clerk to advertise a Notice of Intent to Adopt the ordinance changes.

**Finance Recommendation** : N/A

**Purchasing Recommendation** : N/A

**Town Attorney Recommendation** : If Town Council wishes to consider the proposed amendments to Chapter 18, it must conduct a public hearing to receive public input and review the recommendations of the Planning Commission.

**Town Manager's Recommendation** : I recommend the Town Council close the public hearing and approve Planning Commission recommended amendments as presented.

Cost and Financing: N/A

Account Number: N/A

Decision Needed by This date: N/A

#### **PROPOSED/SUGGESTED MOTION**

"I move to close the public hearing and to approve Planning Commission-recommended amendments to Section 18-72 - (Restaurants) C-1 Permitted Uses under Article 11 of Chapter 18 and Section 18-4 - Definitions under Article 2 of Chapter 18 of the Vienna Town Code. I further move to direct the Town Clerk to advertise a Notice of Intent to Adopt the ordinance changes."

Or

Other action deemed necessary by Council.