



Legislation Details (With Text)

File #: 18-1003 **Version:** 1 **Name:**

Type: Action Item **Status:** Agenda Ready

File created: 8/28/2018 **In control:** Town Council Meeting

On agenda: 9/17/2018 **Final action:**

Title: Intent to adopt ordinance amendment to Section 18-4 - Definitions - Finished Lot Grade under Article 2 of Chapter 18 of the Vienna Town Code as recommended by staff, the Planning Commission, and Town Council.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Sec. 18-4. Definitions - Finished Lot Grade Text Amendment - Clean Version, 2. TC STAFF REPORT - 8-20-2018 - FINISHED LOT GRADE DEFINITION, 3. PC Memo to TC on Finished Lot Grade Definition

Date	Ver.	Action By	Action	Result
9/17/2018	1	Town Council Meeting	approved	Pass

Subject:

Intent to adopt ordinance amendment to Section 18-4 - Definitions - Finished Lot Grade under Article 2 of Chapter 18 of the Vienna Town Code as recommended by staff, the Planning Commission, and Town Council.

EXPLANATION AND SUMMARY :

Finished Lot Grade Definition Text Amendments

With regard to finished lot grade, several work sessions and a public hearing were held by the Planning Commission in spring 2017 to amend the definition along with several other text amendments. The commission recommended approval of all text amendments at its April 17, 2017 meeting. Following a public hearing on August 21, 2017, Town Council approved the recommended text amendments with the exception of the definition of finished lot grade because there was a concern that new homes could be built on mounds that are graded an additional three feet on top of existing graded mounds, which is referred to as “mushrooming.” At its July 9, 2018 meeting, Council referred the definition for *finished lot grade* back to the Planning Commission and asked that the Planning Commission also consider separate lot deviation rules for single-family detached dwellings and non-single-family detached dwelling structures.

After holding and closing a public hearing on July 30 (at which one member of the public spoke) and discussing the matter on August 8 both at a work session and its regular meeting, the Planning Commission voted 8-0 to recommend the language as revised by staff, which addresses the concerns of “mushrooming” and whether or not commercial and non-commercial structures should be treated differently in regards to restrictions on lot grade deviations.

Town Council held and closed a public hearing on the proposed text amendment on August 20, 2018 and voted 7-0 to approve the language as revised by staff and recommended by the Planning

Commission.

Departmental Recommendation : Staff recommends adoption of amendments to the Finished Lot Grade definition, under Section 18-4 - Definitions of Article 2 of Chapter 18 of the Vienna Town Code.

Finance Recommendation : N/A

Purchasing Recommendation : N/A

Town Attorney Recommendation : Town Council has received the Planning Commission's recommendations and conducted a public hearing on the proposed zoning code amendments, and it may approve the proposed amendments in its discretion.

Town Manager's Recommendation : I recommend the Town Council adopt amendments to the Finished Lot Grade definitions, as presented.

Cost and Financing: N/A

Account Number: N/A

Decision Needed by This date: N/A

PROPOSED/SUGGESTED MOTION

"I move to adopt amendments to the Finished Lot Grade definition, as revised by staff and recommended by the Planning Commission, under Section 18-4 - Definitions of Article 2 of Chapter 18 of the Vienna Town Code and direct the Town Clerk to advertise a Notice of Adoption with an effective date of ten (10) days after publication."

Or

Other action deemed necessary by Council.