



## Legislation Details (With Text)

**File #:** 20-1861      **Version:** 1      **Name:**  
**Type:** Action Item      **Status:** Agenda Ready  
**File created:** 9/3/2020      **In control:** Town Council Meeting  
**On agenda:** 9/4/2020      **Final action:**  
**Title:** Proposed Emergency Ordinance to Permit Temporary Waivers of Zoning Regulations and Review for Public, Semi-Public and Private Institutions Adversely Affected by the Ongoing Pandemic Disaster

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Temporary Institution Outdoor Operations Ordinance - 09 03 2020

| Date     | Ver. | Action By            | Action  | Result |
|----------|------|----------------------|---------|--------|
| 9/4/2020 | 1    | Town Council Meeting | approve | Pass   |
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**Subject:**

Proposed Emergency Ordinance to Permit Temporary Waivers of Zoning Regulations and Review for Public, Semi-Public and Private Institutions Adversely Affected by the Ongoing Pandemic Disaster

### EXPLANATION AND SUMMARY :

On July 1, 2020, Northern Virginia entered Phase Three of the Forward Virginia reopening plan, which slowly eases public health restrictions on residents and certain business operations that were put in place in response to the novel coronavirus.

As public, semi-public and private institutions have been impacted by the novel coronavirus due to the varied restrictions, staff is requesting that Town Council approve an emergency ordinance to permit outdoor operations under certain conditions covered by the governor's most recent executive orders and other state and local mandated health and fire marshal precautions. The emergency ordinance would be valid for 60 days only unless rescinded or renewed by Town Council.

The emergency ordinance will give the Town Manager authority to issue a temporary outdoor institutional operations permit to businesses. Applications will be submitted online to the Department of Planning and Zoning. This action would help maintain the continuity of government by providing an expedited and streamlined process to institutions with limited administrative burden.

**Strategic Plan Initiative:** This action aligns with two of the Town's strategic goals:

- 1) Vienna as an economically prosperous community.
- 2) Vienna as an influential and well governed community.

**Departmental Recommendation :** The Economic Development and Planning and Zoning departments recommend that Town Council approve the emergency ordinance. The emergency ordinance would apply only to the listed entities that have current operations, a certificate of occupancy for a current use, and are located in areas where they are already approved to operate by right or with an existing conditional use permit.

Both departments have outlined a process wherein businesses and other groups would submit an online application to the Town that includes a diagram of the proposed outdoor operations. In issuing a temporary outdoor institutional operations permit, parts of the Town Code are waived as it relates to engaging in outdoor operations.

In addition, regulations regarding signs and requirements for conditional use permits would be waived with discretion given to the Town Manager.

**Finance Recommendation :**

**Purchasing Recommendation :**

**Town Attorney Recommendation :** The Town Council may approve the proposed Emergency Ordinance in its discretion. It will only be effective for 60 days unless subsequently readopted after advertisement pursuant to Town Code Section 9.1.1.

**Town Manager's Recommendation :** I recommend the Town Council approve an Emergency Ordinance pursuant to the expanded use of institutional outdoor operations subject to conditions outlined in the emergency ordinance, as presented.

Cost and Financing:

Account Number:

Decision Needed by This date: September 4, 2020

## **PROPOSED/SUGGESTED MOTION**

"I move to approve an Emergency Ordinance pursuant to the expanded use of institutional outdoor operations subject to conditions outlined in the emergency ordinance. I further move to direct the Town Clerk to advertise an intent to readopt this emergency ordinance at the Town Council's regular meeting of October 5, 2020."

Or

Other action deemed necessary by Council.