



Legislation Text

File #: 13-396, **Version:** 1

Subject:

Approval of a Proposed Ordinance to Amend the Code of the Town of Vienna, Chapter 18, Zoning, Article 2, Section 18-4, Definitions, adding new Definitions, and adding a new Article 13.1 MAC: Maple Avenue Commercial Zone Regulations.

EXPLANATION AND SUMMARY :

After an "analysis period" that began in November 2001, the Mayor and Town Council awarded a contract in July 2012 to Lardner/Klein, Clarion and Seth Harry and Associates to transform all the previously-prepared studies, exhibits and illustrations into a legal document that would display the appropriate elements of a mixed-use zoning ordinance for the commercially-zoned portion of Maple Avenue East and West. As part of this process, a 17-member Steering Committee was created by the Mayor. This advisory group has provided stakeholder review and comment on the proposal set forth by the consultant.

A zoning ordinance for the proposed Maple Avenue Commercial (MAC) zone was first drafted in late 2013, and since then has been the subject of several work sessions by the Town Council, most recently on February 10, 2014. Subsequently, a joint work session of the Board of Architectural Review and Planning Commission was held on March 5, 2014. The proposed MAC zoning designation can be utilized by any commercially-zoned property located along Maple Avenue East and West. The new district will be voluntary, meaning that current property owners can choose to remain under their current zoning with no changes. Other properties, however, may choose to take advantage of the new MAC zoning designation to create more pedestrian-friendly, mixed-use developments, subject to certain requirements and approval by the Town Council.

The Planning Commission first considered the proposed ordinance during a public hearing conducted during its April 2, 2014 meeting. Commissioners spent a considerable amount of time discussing the process and decision-making that led up to the proposed ordinance language. The public hearing was continued to provide for ample review of the language and to allow for additional work sessions to further discuss the broad concepts established by the new MAC zoning district and the particular details of the ordinance.

The first Planning Commission work session was held on May 1, 2014. A second Planning Commission work session was held on May 20, 2014 to "mark-up" the draft of the ordinance. Several changes were discussed and incorporated into the document at that time. The Planning Commission reopened the public hearing on June 11, 2014. Testimony was received in favor of the ordinance and several recommendations regarding bicycle parking facilities were also made. The Planning Commission subsequently voted to close the public hearing and set June 25, 2014 as the decision date for the recommendation to the Town Council. On June 16, 2014, the Town Council authorized July 7, 2014 to open the public hearing on the proposed ordinance. At that meeting, the Town Council continued the public hearing until August 18, 2014. At that meeting, additional public comments were

received and the public hearing was closed. Action on the item was deferred until September 8, 2014 with the written record to remain open. Revisions made to the ordinance following the July 7, 2014 hearing are indicated as “red-lines” in the text document and are “clouded” in the graphics. This item was deferred at the September 8, 2014 Town Council meeting.

Departmental Recommendation :

The Acting Director of Planning & Zoning recommends approval of the proposed ordinance.

Finance Recommendation : N/A

Purchasing Recommendation : N/A

Town Attorney Recommendation : The Town Council has received recommendations from the Planning Commission and conducted public hearings on the proposed amendment to the Town’s zoning ordinance. The Town Council may adopt the proposed amendments to Chapter 18, adding a new Article 13.1 MAC: Maple Avenue Commercial Zone Regulations, in its discretion.

Town Manager's Recommendation : I recommend the Town Council approve of the proposed ordinance to amend the Code of the Town of Vienna, Chapter 18, Zoning, Article 2, Section 18-4 as presented.

Cost and Financing: N/A

Account Number: N/A

Decision Needed by This date: Not Applicable

PROPOSED/SUGGESTED MOTION

"I move for approval of the proposed ordinance to amend the Code of the Town of Vienna, Chapter 18, Zoning, Article 2, Section 18-4, Definitions, adding new Definitions, and adding a new Article 13.1 MAC: Maple Avenue Commercial Zone Regulations."

"I further move to direct the Town Clerk to place the ordinance amendment on the agenda of October 20, 2014 and to advertise the Notice of Intent to Adopt."

Or

Other action deemed necessary by Council.