



# CODE CREATE VIENNA

Lunch & Learn

◦ December 04, 2020



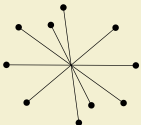
Cindy Petkac, AICP  
*Director of Planning & Zoning*

Michael D’Orazio, AICP  
*Deputy Director*

Kelly O’Brien, AICP  
*Principal Planner*

Jennifer Murphy  
*Planning Specialist*



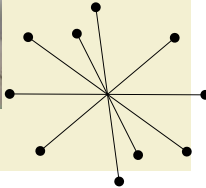
Lunch & Learn  December 04, 2020

**“Working from home?”**



# Can I start a business out of my home?

Home businesses are considered an accessory use to the primary residential use and require additional approvals.



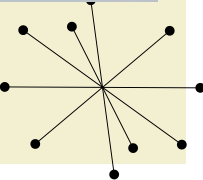


# What is a certificate of occupancy???

A **certificate of occupancy** is a document issued by a local government agency certifying compliance with applicable codes and other laws.

It tells you:

- That the structure is suitable for occupancy
- That the structure complies with all codes
- What the structure is used for



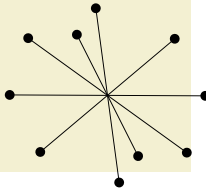


# What if I'm just working from home for my employer?

A home occupation certificate is needed when you apply for a business license for your home-based business.

However, if you use your home address to receive mail for your business but do the work outside of your home, you will need a business license and home occupation certificate.

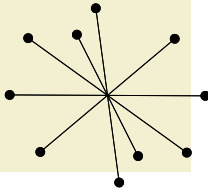
You do not need a home occupation certificate if you are working at home for an employer.



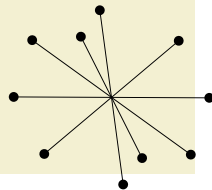
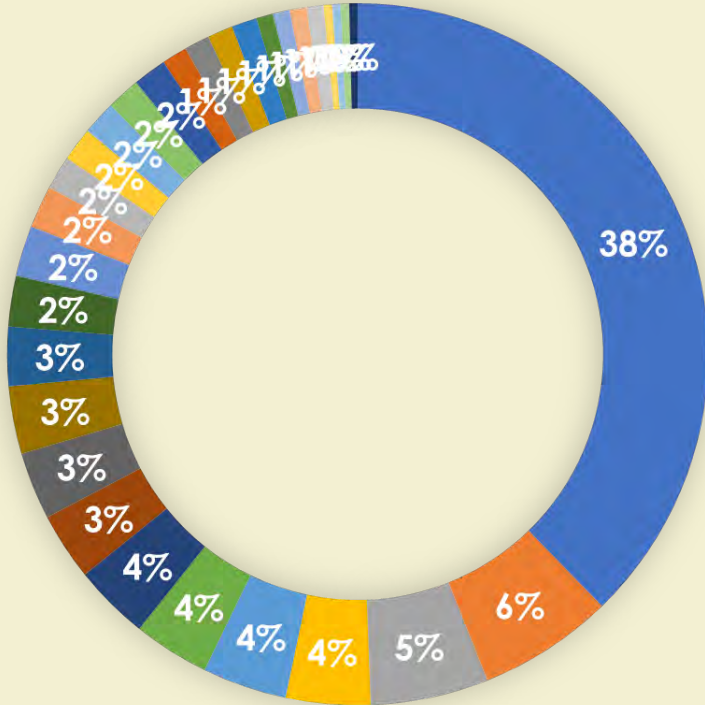


# What is the most applied for home business in Vienna?

*Time to put on your thinking cap!*



# Home Businesses in Town of Vienna



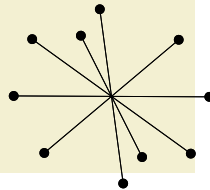




# What information do I need to provide?

Some information staff will need to know for your application:

1. **Your address**
2. **Type of business** – What exactly are you proposing? Office use only? Making something for retail? Classes?
3. **Area of home used for business** – What area and location in your home that you are proposing to use for your business
4. **Parking** - How many off-street parking spaces you have available for the business if customers come to your home



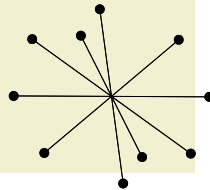


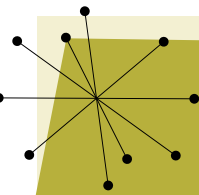
# What information do I need to provide?

- 1) **Business License** - Submitted to the Finance Department
- 2) **Online application for Home Occupancy**

<https://vienna.idtplans.com/secure/>

- Applicant Authorization Form** – signature required even if you are the property owner; signed by the property owner and the applicant if a rental unit
- Home Certificate of Occupancy Restrictions Acknowledgement Form**



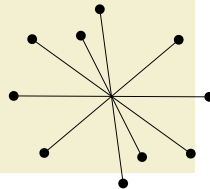


# Business Licenses

**Elizabeth King**  
Business License Officer

**Town of Vienna Finance Department**  
127 Center Street, South  
Vienna, VA 22180  
(703) 255-6321 (Voice)

[lking@viennava.gov](mailto:lking@viennava.gov)



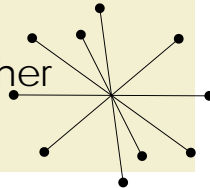


# Home Certificate of Occupancy Restrictions

## Section 18-173 of the Vienna Town Code

In any residential zone a home occupation is permitted including the use of the home as an office, provided that the occupation complies with all the following:

- A. Is **entirely operated within** the single dwelling **unit** and **only by the residents** maintaining a dwelling therein.
- B. Creates **no external evidence** of the home occupation, including any advertisement other than a dwelling nameplate no larger than 1.5 square feet in area.
- C. Does not utilize more than **25% of the gross livable floor area** including the basement.
- D. No person is employed other than a member of the immediate family residing on the premises.
- E. Does not use any internal combustion engine as a power source and does not use more than a total of three horsepower in fractional horsepower electric motors (other than normally used for domestic use).

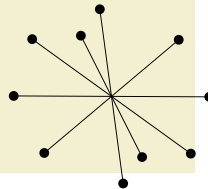




# Home Certificate of Occupancy Restrictions

## Section 18-173 of the Vienna Town Code (continued)

- F. Will not involve the **emission** of any sounds, odors, or smoke beyond the property in excess of normal single family dwelling use.
- G. No commodity or good may be **sold on the premises**.
- H. Customers or Clients may come to the premises only **by appointment**.
- I. Will not constitute a **nuisance** due to sidewalk or street traffic.
- J. Will not tend to **adversely affect** the use and development of adjoining properties in the immediate **neighborhood**.
- K. All **equipment and/or merchandise** may only be **stored inside** the principal residential structure.
- L. All commercial **deliveries**, either to or from the premises, may only be made between 8:00 AM to 6:00 PM.



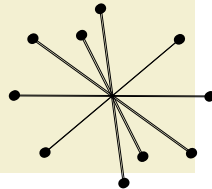


# Fees

**One-time** application fee of \$100\*  
**per business** for the home  
occupation certificate for the life  
of the business **at that location**

*\*(fees are subject to change)*

**Check with the Finance Department to  
determine the business license fee**





# Some businesses require an additional approval process...

Some business require certification from other state and federal agencies that you will need to check with

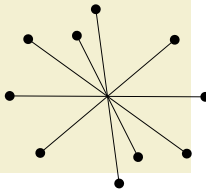
<https://www.vdacs.virginia.gov/services-forms.shtml>

<http://www.dbhds.virginia.gov/>

<https://www.dss.virginia.gov/family/cc/>

<https://www.vdh.virginia.gov/>

<http://www.dpor.virginia.gov/>





# Conditional Use Permits

A conditional use permit is required for certain uses. Those permits are reviewed by the Planning Commission and decided by the Board of Zoning Appeals.

## Section 18-13 of the Vienna Town Code

The following uses may be permitted with approval of a conditional use permit

- d. **Institutional homes** and institutions of educational or philanthropic nature, except those of a correctional nature or for mental cases.
- e. **Certified massage therapists** in the RS-16, RS-12.5 and RS-10 zones only, subject to the same restrictions applicable to home occupations as set forth in section 18-173...
- f. **Nursery and kindergarten schools (private).**







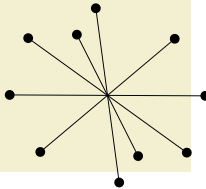
# Day care

Regulation of home child-care businesses are dependent on the number of children being watched:

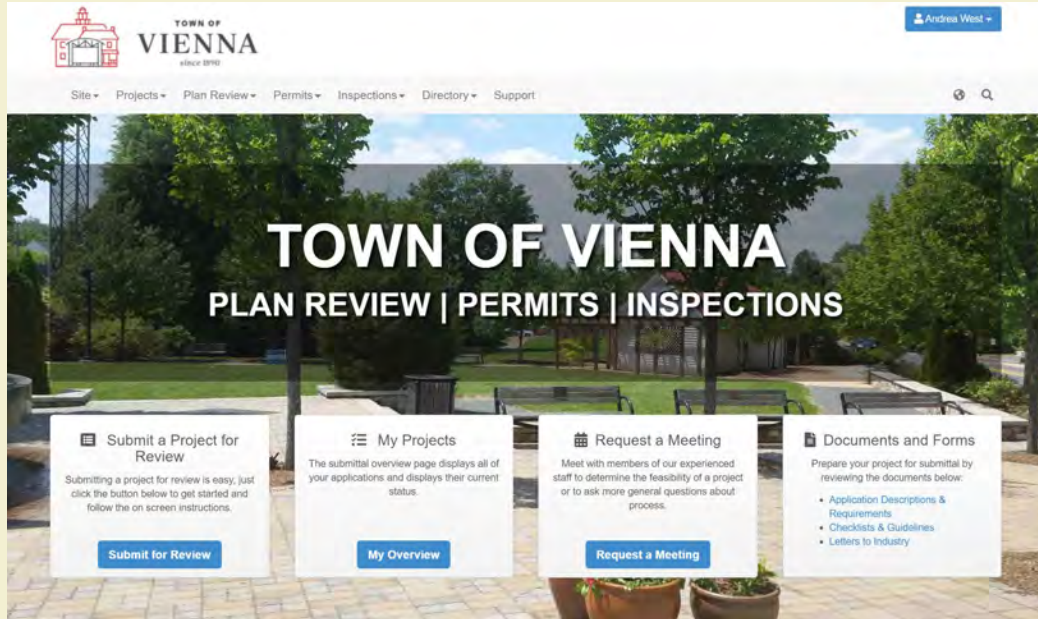
A home day care watching **4 or fewer children** requires a home occupation certificate as well as registration with the Fairfax County Office for Children

<https://www.fairfaxcounty.gov/office-for-children/>

Daycares caring for between **5 to 12 children** require a conditional use permit



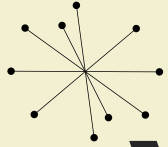
# Submit Through IDT Plans



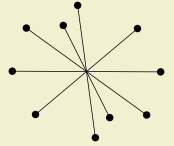
The screenshot displays the Town of Vienna website's main navigation and content area. At the top left is the Town of Vienna logo, which includes a house icon and the text "TOWN OF VIENNA SINCE 1892". To the right of the logo is a user profile dropdown menu for "Andrea West". Below the logo is a horizontal navigation menu with links for "Site", "Projects", "Plan Review", "Permits", "Inspections", "Directory", and "Support". A search icon is located on the right side of this menu. The main content area features a large background image of a park with trees and a building. Overlaid on this image is the text "TOWN OF VIENNA" in large white letters, followed by "PLAN REVIEW | PERMITS | INSPECTIONS" in smaller white letters. Below this text are four white boxes, each with a title, a brief description, and a blue button:

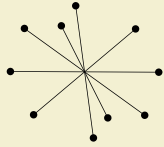
- Submit a Project for Review**: Submitting a project for review is easy, just click the button below to get started and follow the on screen instructions. **Submit for Review**
- My Projects**: The submittal overview page displays all of your applications and displays their current status. **My Overview**
- Request a Meeting**: Meet with members of our experienced staff to determine the feasibility of a project or to ask more general questions about process. **Request a Meeting**
- Documents and Forms**: Prepare your project for submittal by reviewing the documents below:
  - Application Descriptions & Requirements
  - Checklists & Guidelines
  - Letters to Industry

<https://vienna.idtplans.com/secure/>



**What questions do you have?**





# Next Lunch & Learn webinars

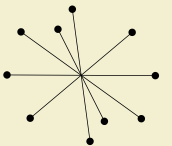


## **Table for two? Discussion on Outdoor Dining**

What are the steps for a restaurant to be approved to offer outdoor dining for their customers? How has that changed during the pandemic? What should the process be as we update the code?

## **2021 Lunch & Learn Calendar coming soon!!!**

If you have a suggestion for a topic you would like to learn more about, please email us at [codecreate@viennava.gov](mailto:codecreate@viennava.gov)





[www.codecreatevienna.com](http://www.codecreatevienna.com)

codecreate@viennava.gov