



ZONING ADMINISTRATOR INTERPRETATION AND DETERMINATION

May 29, 2024

INTERPRETATION AND DETERMINATION:

Article 3 (Uses) does not include “Medical Office” as a listed use, even though it is defined in Article 9 (Definitions). “Medical Office” is not identical to a “Medical Care Facility” and is more analogous to “Office.” Therefore, the Zoning Administrator Determination is that “Medical Office” is permitted or conditional in any zone or district where “Office” is permitted or conditional, respectively.

BACKGROUND:

The purpose of this Zoning Interpretation and Determination is to provide clarification regarding the zoning districts in which medical offices may be located, in accordance with the Town of Vienna Zoning and Subdivision Ordinance that became effective as Chapter 18 in the Town Code on January 1, 2024.

Medical Office and Office

Article 3 (Uses) does not include “Medical Office” as a listed use, even though it is defined in Article 9 (Definitions). The definition for “Medical Office” as shown below in Relevant Code Sections, is more in line with the “Office” use rather than the “Medical Care Facility” use. Historically, medical offices have been regulated as an office use in the Town of Vienna. The only property in the Town that has specific stipulations about the amount of medical office use is White Oak Tower located at 301 Maple Ave W, due to proffered conditions.

Medical Care Facility

The use of “Medical Care Facility” as defined in the code, see Relevant Code Section below, is more analogous to hospitals, in-patient surgical centers, or dedicated emergency care facilities regularly serviced by ambulance services. Outpatient care facilities and medical offices seeing patients on an appointment or walk-in basis are not included in the definition of “Medical Care Facility” for the purposes of this zoning code.

RELEVANT CODE SECTIONS:

Article 9 - Definitions

Medical office means an office which provides physical or mental medical care, testing, or treatment on an outpatient basis for stays of twenty-four (24) hours or less by physicians, dentists, optometrists, and other healthcare practitioners licensed by the Commonwealth of Virginia.

Medical care facility means a facility concerned with the diagnosis, treatment, and care of human ailments and afflictions, including hospitals; dental services; medical services or clinics.

Office means a room or group of rooms used for conducting the affairs of a business, profession, service industry, or government.

Article 3 – Uses and Use Standards

Section 18-304 Principal Uses Table

USE TYPES	DISTRICTS AND ZONES														SPECIFIC USE STANDARDS	
	RESIDENTIAL				NON-RESIDENTIAL AND MIXED USES											
	RS-16	RS-12.5	RS-10	RMU	AW	AE	AC/AC-0	M	CS/CS-0	NM	T	GS	CP	PR		PC
P = PERMITTED / C = CONDITIONAL / - = NOT PERMITTED (See Article 2 for Zone and District Names)																
Medical Care Facility	C	C	C	C	P	P	C	-	C	C	-	P	-	-	-	§18-332
Office	-	-	-	-	P	P	P	P	P	P	P	P	P	-	-	

Section 18-332 Medical Care Facility

1. All such uses shall be designed to accommodate service vehicles with access to the building at a side or rear entrance.
2. All off-street parking and loading areas shall be effectively screened from residential properties.
3. No such use shall be operated without approval and, where appropriate, licensing by such agencies as the Virginia Department of Social Services, the Virginia Department of Health, and other such appropriate local, state and federal agencies which may have authority in a particular case.

Signed,



Andrea West, CZA
Zoning Administrator