



# ARLINGTON COUNTY, VIRGINIA

ARLINGTON COUNTY PLANNING COMMISSION

2100 CLARENDON BOULEVARD, SUITE 700  
ARLINGTON, VA 22201  
(703)228-3525 • [www.arlingtonva.us](http://www.arlingtonva.us)



**ARLINGTON**  
VIRGINIA

DEVANSHI PATEL  
CHAIR

SARA STEINBERGER  
VICE-CHAIR

GIZELE JOHNSON  
CLERK

MATT PFEIFFER  
PC COORDINATOR

December 13, 2023

Arlington County Board  
2100 Clarendon Boulevard  
Suite 300  
Arlington, Virginia 22201

**SUBJECTS:** ZOA-2023-12. An ordinance to amend, reenact and recodify Articles 3, 4, 12, 13 and 14 of the Arlington County Zoning Ordinance (ACZO), as set forth in Attachment 2, relating to:

- A. Allowing modifications of maximum height and minimum setback standards by the County Board through use permit approval for structures in publicly owned and/or publicly operated parks and open spaces;
- B. Allowing modifications of maximum height standards for fences and walls by the County Board through use permit approval for fences and walls in publicly owned and/or publicly operated parks and open spaces;
- C. Allowing modifications of minimum parking requirements by the County Board through use permit approval for uses in publicly owned and/or publicly operated parks and open spaces;
- D. Establishing findings for the County Board to account for when approving modifications through use permit of the aforementioned standards;
- E. Allowing modifications of maximum height standards for athletic field lighting by the County Board through use permit approval at schools and in publicly owned parks and open spaces, so long as the lighting was an existing improvement as of the effective date of this zoning ordinance amendment;
- F. Revising sign standards to permit greater flexibility in the placement of flag poles and freestanding signs within publicly owned and/or publicly operated parks and open spaces; and,
- G. Making additional editorial changes for improved clarity, and for other reasons required by public necessity, convenience, general welfare, and good zoning practice.

## **RECOMMENDATION:**

1. the Planning Commission recommend that the County Board amend, reenact, and recodify Articles 3, 4, 12, 13, and 14 of the Arlington County Zoning Ordinance, as set forth in Attachment 2 of the staff report, to facilitate the following:

- A. Allow modifications of maximum height and minimum setback standards by the County Board through use permit approval for structures in publicly owned and/or publicly operated parks and open spaces;
- B. Allow modifications of maximum height standards for fences and walls by the County Board through use permit approval for fences and walls in publicly owned and/or publicly operated parks and open spaces;
- C. Allow modifications of minimum parking requirements by the County Board through use permit approval for uses in publicly owned and/or publicly operated parks and open spaces;
- D. Establish findings for the County Board to account for when approving modifications through use permit of the aforementioned standards;
- E. Allow modifications of maximum height standards for athletic field lighting by the County Board through use permit approval at schools and in publicly owned parks and open spaces, so long as the lighting was an existing improvement as of the effective date of this zoning ordinance amendment;
- F. Revise sign standards to permit greater flexibility in the placement of flag poles and freestanding signs within publicly owned and/or publicly operated parks and open spaces; and,
- G. Make additional editorial changes for improved clarity, and for other reasons required by public necessity, convenience, general welfare, and good zoning practice.

### **BACKGROUND**

The Planning Commission heard this item at its December 6, 2023, public hearing. Nick Rogers, Department of Community Planning, Housing and Development, Planning Division gave a presentation on the proposal. Additional staff present included:

- Irena Lazic, Department of Parks and Recreation, Planning and Development Division
- Walter Gonzalez, Department of Parks and Recreation, Planning and Development Division
- Cliff Hogan, Department of Community Planning, Housing and Development, Zoning Office

### **PUBLIC SPEAKERS**

There were no public speakers on this item.

### **COMMISSION REPORTS**

The following commissions and committees provided reports to the Planning Commission:

1. Commissioner Sarli provided a very brief report on the ZOCO process.

### **PLANNING COMMISSION DISCUSSION**

The Planning Commission discussed the following topics with County Staff:

- Commissioner Sarli opined that independently this is an easy thing to support. However, there is a philosophical concern with the idea of carving out a separate suite of standards for public facilities only. Would we support to expanding this possibility to all (public and private) uses? Should standards be universally applicable?
- Commissioner Berkey asked Commissioner Sarli to elaborate about his statement.
  - Commissioner Sarli provided an example that a wall for a pickleball court can now be sited adjacent to a sidewalk. If this was a private use, this would be considered poor urban design. This makes sense for public uses weighing the tradeoffs, but he's uncomfortable setting separate standards for public uses.
  - Commissioner Berkey is interested in furthering the conversation on this topic.
- Commissioner Gearin appreciates Commissioner Sarli's thoughts on this matter. There are a lot of instances where certain standards have been accepted for public uses that would not have been accepted for a private use, for example public swimming pools. However, this may make sense given the small size of the County and the constrained need for public services.
- Commissioner Bagley asked staff whether there was an opportunity for the public to continue to be engaged on these topics?
  - Mr. Rogers answered that any modification to a placement standard would require a special exception use permit, which would be accompanied by a public outreach process. In addition, many of these issues would be socialized with the community during the engagement process for the public facility itself, such as a park master planning process. There will be an intentional series of conversations with the community.
- Commissioner Lantelme mentioned that there was a robust discussion at the Zoning Ordinance Committee (ZOCO) meeting. The example of the wall adjacent to the sidewalk may be less unlikely than some think. Will vote for this amendment, but squeamishly. Is it true privately owned but publicly maintained spaces will not be able to take advantage of this provision?
  - Mr. Rogers answered that this is correct. In addition, this is not intended for Privately Owned Public Spaces (POPS) as those are examined via the site plan process.

### **PLANNING COMMISSION MOTIONS**

Commissioner Sarli moved that the Planning Commission recommend that the County Board amend, reenact, and recodify Articles 3, 4, 12, 13, and 14 of the Arlington County Zoning Ordinance, as set forth in Attachment 2 of the staff report, to facilitate the following:

- A. Allow modifications of maximum height and minimum setback standards by the County Board through use permit approval for structures in publicly owned and/or publicly operated parks and open spaces;
- B. Allow modifications of maximum height standards for fences and walls by the County Board through use permit approval for fences and walls in publicly owned and/or publicly operated parks and open spaces;
- C. Allow modifications of minimum parking requirements by the County Board through use

- permit approval for uses in publicly owned and/or publicly operated parks and open spaces;
- D. Establish findings for the County Board to account for when approving modifications through use permit of the aforementioned standards;
  - E. Allow modifications of maximum height standards for athletic field lighting by the County Board through use permit approval at schools and in publicly owned parks and open spaces, so long as the lighting was an existing improvement as of the effective date of this zoning ordinance amendment;
  - F. Revise sign standards to permit greater flexibility in the placement of flag poles and freestanding signs within publicly owned and/or publicly operated parks and open spaces; and,
  - G. Make additional editorial changes for improved clarity, and for other reasons required by public necessity, convenience, general welfare, and good zoning practice.

Commissioner Peterson seconded the motion.

The motion carried 10-0

Respectfully Submitted,  
Arlington County Planning Commission

A handwritten signature in blue ink, appearing to read "Devanshi Patel". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

Devanshi Patel, Chair