



## ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item  
Meeting of May 17, 2008**

**DATE:** May 15, 2008

**SUBJECT:** Request to Advertise public hearings for the Planning Commission and County Board on a General Land Use Plan Amendment to adopt the “Policy for Consideration of General Land Use Plan Amendments Unanticipated by Previous Planning Efforts” and incorporate it into the “Special Planning Resolutions and Policies” section of that document.

**C. M. RECOMMENDATION:**

Authorize the advertisement of public hearings on the subject General Land Use Plan Amendment by the Planning Commission on June 2, 2008 and County Board on June 17, 2008.

**ISSUE:** The County Board has proposed a new policy regarding the consideration of General Land Use Plan Amendments in order to allow for additional planning analysis and community review.

**SUMMARY:** The proposed “Policy for Consideration of General Land Use Plan (GLUP) Amendments Unanticipated by Previous Planning Efforts” provides additional County Board guidance for how GLUP requests are to be reviewed for sites not identified in a County Board adopted planning study. This policy would apply to either: 1) sites located outside of “Special Planning Areas”, which are identified on the GLUP and have undergone substantial planning analysis and study; or 2) within “Special Planning Areas”, but existing planning documents either provide insufficient guidance or the proposed GLUP amendment is inconsistent with the recommendations in the adopted plan. The Policy calls for additional community review of the requested land use change, and/or issues pertinent thereto, prior to advertisement of public hearings on the requested change.

**BACKGROUND:** The General Land Use Plan (GLUP), an element of the County’s Comprehensive Plan, is the primary policy guide for the future development of the County. The GLUP establishes the overall character, extent and location of various land uses and serves as a guide to communicate the policy of the County Board to citizens, the business community,

County Manager: \_\_\_\_\_

County Attorney: \_\_\_\_\_

Staff: Richard Tucker, Planning Division, DCPHD

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developers and other involved in the development of Arlington County. In addition, the GLUP serves as a guide to the County Board in its decisions concerning future development.

In practice to date, the GLUP has been amended through two processes: 1) as part of a long-range planning process for a designated area or 2) as a result of an individual request for a specific change. The first process includes detailed land use studies which may be undertaken for designated areas of the County at the County Board's directive where conditions warrant a comprehensive framework of policies for community improvement through redevelopment, revitalization or conservation. Land use policies and studies are prepared by the Planning staff in cooperation with other County agencies, the Planning Commission, other County Board appointed commissions and task forces, neighborhood and civic organizations and the business community. The Planning Commission and the County Board hold public hearings on the various proposals and adopt a series of recommendations for future development that may include extensive changes to the GLUP. The second process includes an individual request, typically by a property owner or developer, for a change (amendment) to the GLUP designation for a specific area. If the County Board decides to consider the amendment, public hearing dates for the Planning Commission and County Board are set and publicly advertised. The Commission makes a formal recommendation to the County Board regarding the requested amendment. At the County Board public hearing, the County Manager also provides a recommendation, the County Board hears public testimony, and makes the final decision.

At its March 18, 2008 recessed meeting, the County Board presented a proposed "County Board Policy Statement Regarding Consideration of GLUP Amendments Unanticipated by Previous Planning Efforts". The draft document sets forth a policy whereby development proposals, accompanied by a GLUP amendment request, for sites that have not been the subject of previous planning studies, be subject to a planning study prior to the County Board consideration of the GLUP amendment request and site plan proposal. The County Board forwarded the draft proposal to the Planning Commission and requested that the Planning Commission review and provide input and comments on the proposed policy by the May 17, 2008 County Board meeting.

**DISCUSSION:** Staff concurs that a GLUP amendment policy is needed to address proposed amendments to the GLUP on sites in areas that have not been the subject of a planning study. While staff is still formalizing the process, staff recommends an approach whereby GLUP amendment requests will be preliminarily reviewed by staff to determine how the GLUP amendment policy applies, then would seek input from the Long Range Planning Committee (LRPC) of the Planning Commission in one of two ways: 1) obtain their concurrence that the proposed GLUP amendment is for a site within a planned area; may proceed through the site plan review process; and a GLUP Amendment may be advertised; or 2) obtain their concurrence that the proposed GLUP amendment is for a site not within a planned area and therefore a special study is warranted and must be completed and presented to the County Board before the GLUP amendment is considered. In the second instance, staff will work with LRPC to develop a community process for the special study, which may entail either staff analysis or more intensive study of an issue or area. It is anticipated that the special study process may be conducted over the course of several meetings, and depending on the scope of the issue or area to be studied, may involve interaction with various stakeholder groups and the County Board.

Within the special study process, staff would provide analysis of the subject site, its surrounding context, its context within the County, and applicable planning principles and County policies that impact the site. In instances where staff analysis only is required (i.e. Peck and Pentagon Centre sites), at the conclusion of the community review process, a “Request to Advertise” report which details staff analysis would be prepared by staff for consideration by the Planning Commission and County Board on whether to advertise the requested GLUP change. If the County Board authorizes the advertisement of the GLUP change, then the project can move forward through the site plan review process and the proposed GLUP amendment request can be heard at a time concurrent with hearings for the site plan project.

In cases where a GLUP amendment request necessitates a larger planning study (i.e. a small area plan), the study would follow the established long range planning process and be scheduled in accordance with Planning staff’s work plan. If a larger planning study is required, staff would prepare a Request to Advertise report for Planning Commission and County Board review recommending that the County Board not advertise or consider the requested GLUP amendment until such time as the planning study was completed.

Policy for Consideration of General Land Use Plan Amendments Unanticipated by Previous Planning Efforts: As requested by the County Board, the Planning Commission initially considered the draft policy first at its April 29, 2008 Long Range Planning Committee (LRPC) meeting, and then later at its full commission meeting on May 5, 2008. Planning Commissioners questioned whether the language in the draft policy (Item #5) accurately identified the areas that would be subject to additional review. They also questioned whether the policy would require that the County Board review and approve the planning study prior to consideration of the requested GLUP change as this could significantly lengthen the site plan review process. Commissioners also suggested that the existing GLUP document may need to be revised to reflect the proposed amendment process. The proposed policy, if adopted, would impact the process by which GLUP amendment requests are processed. Likewise, Commissioners asked whether the 4.1 Administrative Regulation for Special Exception Site Plans would also have to be revised to incorporate the review process called for in the policy.

Staff concurs with the Planning Commission and has proposed revised language for Item #5 of the proposed policy (see attachment), which more clearly indicates the sites that would be subject to the new policy. Staff anticipates that a range of final products may result from the special study process, including, reports, studies, analysis, etc. that may or may not require County Board approval. Depending on the scope of the studies to be undertaken, the County Board may consider the results of planning studies or analysis without taking a specific action. Staff has revised the County Board’s draft policy to anticipate this outcome.

Staff recommends that additional language be added to the GLUP “Special Planning Resolutions and Policies” (p. 13) that reflects the proposed policy. Staff proposes new language on Page 18 of the GLUP to address changes to the description of the GLUP amendment process to reflect the proposed policy. As a follow up action, staff will need to develop revisions to 4.1 Administrative Regulation to address the policy change, as well.

**CONCLUSION:** Staff recommends that the County Board authorize the advertisement of public hearings on a General Land Use Plan amendment to adopt the “Policy for Consideration of General Land Use Plan Amendments Unanticipated by Previous Planning Efforts”, and incorporate it into the “Special Planning Resolutions and Policies” section of that document, by the Planning Commission and the County Board at their June 2, 2008 and June 17, 2008, respectively.

## County Board Policy Statement

### Regarding

#### Consideration of General Land Use Plan Amendments Unanticipated by Previous Planning Efforts

1. Arlington County has a longstanding tradition of carefully planning for growth and development in the County as set forth in various planning policies and documents including in particular the comprehensive plan, the general land use plan (GLUP), and associated documents such as sector plans, area plans, and other planning studies.
2. These planning policies and documents establish a framework for land use decision making and provide predictability to landowners, developers, and the community about the nature and scope of future growth and development on sites throughout the County.
3. While these planning policies and documents fall within the exclusive legislative authority of the County Board, landowners are free to request changes to them, particularly amendments to the GLUP, to accommodate development of their property. However, the County Board is not required to grant such requests, and is particularly unlikely to do so when the property has not been the subject of planning studies conducted outside the context of a specific development application with an opportunity to objectively assess the implications of the proposed changes and whether they comport with the County's long term planning principles and goals.
4. Amending the GLUP without fully identifying the range of issues associated with the proposed change, understanding whether it comports with the County's long term planning goals and principles, and obtaining full input from the Board's advisory commissions and the community, disserves, and may result in decisions contrary to, the County's planning principles and policies.
5. In light of the foregoing, the County Board expresses its intent, and directs the County Manager accordingly, that a proposed GLUP amendments proposed for any sites that have not previously been the subject of not identified in a County Board adopted planning study ies as appropriate for such a GLUP amendment by the County and are not governed by County Board adopted policies and documents will not be considered until such a planning study or analysis has been completed and approved by presented to the County Board.

**RESOLUTION TO AUTHORIZE ADVERTISEMENT OF PUBLIC HEARINGS BY THE PLANNING COMMISSION ON JUNE 2, 2008 AND THE COUNTY BOARD ON JUNE 17, 2008, TO CONSIDER AMENDING THE GENERAL LAND USE PLAN TO INCORPORATE THE “POLICY FOR CONSIDERATION OF GENERAL LAND USE PLAN AMENDMENTS UNANTICIPATED BY PREVIOUS PLANNING EFFORTS”.**

*The County Board of Arlington hereby resolves that the following item shall be advertised for public hearings by the Planning Commission on June 2, 2008 and County Board on June 17, 2008, on the following,:*

\* \* \*

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Policy for Consideration of General Land Use Plan Amendments Unanticipated by Previous Planning Efforts: Adopted June 17, 2008, to require that General Land Use Plan amendments for sites not located in and addressed by “Special Area Plans” shall undergo additional planning analysis or study prior to being considered by the County Board.

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The General Land Use Plan may be amended through two processes: 1) as part of a scheduled long-range planning process for a designated area or 2) as a result of an individual request for a specific change. The first process includes detailed land use studies which may be undertaken for designated areas of the County at the County Board's directive where conditions warrant a comprehensive framework of policies for community improvement through redevelopment, revitalization or conservation. Alternative land use policies are developed for the area by the Planning staff in cooperation with other County agencies, the Planning Commission, County Board appointed commissions and task forces, neighborhood and civic organizations and the business community. The Planning Commission and the County Board hold public hearings on the various proposals and adopt a series of recommendations for future development that may include extensive changes to the General Land Use Plan. This process was used to develop the Sector Plans for each of the Metro Station Areas in the Rosslyn Ballston Corridor. A similar process is used in developing plans for Neighborhood Conservation Areas or any other large area of the County requiring comprehensive study.

The second process includes an individual request for a change (amendment) to the General Land Use Plan by writing a letter to the Chairman of the County Board identifying the specific area and the General Land Use Plan designation being requested. Upon receipt of such a request, staff will review it and determine whether the “Policy for Consideration of General Land Use Plan Amendments Unanticipated by Previous Planning Efforts” applies. If the GLUP amendment policy does not apply, a request to advertise report will be prepared by staff for consideration by the Planning Commission and County Board. If the policy applies, then staff will work with LRPC to develop a special process and meeting schedule to study the site and/or issues related to the requested GLUP amendment. Depending on the GLUP amendment being requested, the scope of the study process could range from a few community meetings to review staff analysis, to a more extensive process where a plan with recommendations is developed. At the conclusion of the public review process, staff will prepare a “Request to Advertise” report, which includes the results of the study, for consideration by the Planning Commission and County Board. If the Board decides to authorize advertisement of the proposed GLUP ~~hear the~~ amendment, public hearing dates for the Planning Commission and the County Board ~~are~~ will be set and publicly advertised. At the public hearings, which will be set on dates concurrent with hearings for the site plan project, the Planning Commission receives a recommendation from the County Manager and hears public testimony. The Commission makes a recommendation to the County Board regarding the requested amendment. The County Board at its meeting also receives the County Manager's report, hears public testimony, and makes the final decision.