



ARLINGTON COUNTY, VIRGINIA

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

DATE: June 6, 2008

SUBJECT: GP-318-08-1 General Land Use Plan Amendment to add the “Policy for Consideration of General Land Use Plan Amendments Unanticipated by Previous Planning Efforts” and other adopted policies into the General Land Use Plan booklet.

C. M. RECOMMENDATION:

Adopt the attached resolution to approve the “Policy for Consideration of General Land Use Plan Amendments Unanticipated by Previous Planning Efforts” and incorporate it and other previously approved policies into the General Land Use Plan booklet.

ISSUE: The County Board has proposed a new policy regarding the consideration of General Land Use Plan Amendments that calls 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 amendment 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 areas for which there is a County Board adopted plan, or 2) within such areas, but the 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, 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.

County Manager: _____

County Attorney: _____

Staff: Richard Tucker, Planning Division, DCPHD

PLA-5000

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 (or other analysis) 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 Planning Commission in one of two ways: 1) obtain their concurrence that the proposed GLUP amendment is for a site within a planned area and sufficient guidance is provided by that plan; may proceed through the site plan review process; and a GLUP Amendment may be advertised; or 2) obtain their concurrence that (a) the proposed GLUP amendment is for a site not within a planned area, or (b) there is not sufficient guidance provided by an adopted plan, or (c) the requested GLUP change is inconsistent with the adopted plan, and therefore additional analysis 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 the Planning Commission 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.

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 concurred with the Planning Commission and 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 and 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 develop revisions to 4.1 Administrative Regulation to address the policy change; however no change to the Zoning Ordinance is needed.

At the May 17, 2008 County Board meeting, staff was directed to incorporate the full text of this proposed policy and the full text other previously adopted policies in the next printing of the GLUP. The GLUP currently only contains a summary of each of these policies. Staff proposes language herein to incorporate the subject policies into an appendix to be created for the GLUP as part of its reprinting, which is scheduled for 2011. Until the GLUP is reprinted, however, the adopted policy documents, including the Resolution on Building Heights Related to the National Capital Mall Axis (5/18/82), the Resolution on Neighborhood Consolidation (9/21/85), the Policy on Grocery Stores (10/5/85), the Open Space Policy (9/26/92), the Policy on Building Heights in Rosslyn (9/17/02) and the subject policy will be placed on the County’s website to make them available to the public.

Subsequently, the Planning Commission recommended at their June 2, 2008 meeting that the County Board adopt the proposed GLUP amendment with a few editorial revisions to the staff report, which has been revised to address the Commission’s suggestions.

CONCLUSION: Staff recommends that the County Board adopt the attached resolution to approve the “Policy for Consideration of General Land Use Plan Amendments Unanticipated by Previous Planning Efforts” and amend the General Land Use Plan to incorporate it and previously adopted policies into the General Land Use Plan booklet.

GENERAL LAND USE PLAN RESOLUTION

WHEREAS, the County Board of Arlington County (“County Board”) finds that the Policy for Consideration of General Land Use Plan Amendments Unanticipated by Previous Planning Efforts should be incorporated into the General Land Use Plan by amendment of the Plan; and

WHEREAS, on June 2, 2008, the Planning Commission recommended that the proposed changes to the General Land Use Plan be adopted; and

WHEREAS, the County Manager has recommended that the proposed changes to the General Land Use Plan be approved; and

WHEREAS, the County Board held a duly advertised public hearing on the proposed General Land Use Plan amendment on June 17, 2008; and

WHEREAS, the County Board has considered the foregoing recommendation and the purposes of the General Land Use Plan and the Comprehensive Plan as set forth in those documents, the Arlington County Zoning Ordinance and the Code of Virginia;

NOW, THEREFORE, be it Resolved that, based on the aforementioned considerations, deliberations and all public comments, the County Board of Arlington County hereby approves the Policy for Consideration of General Land Use Plan Amendments Unanticipated by Previous Planning Efforts and further finds that the proposed General Land Use Plan amendment to the “Special Planning Resolutions and Policies” and “Reviewing and Amending the General Land Use Plan and Comprehensive Plan” sections of the General Land Use Plan booklet, should be, and hereby is, approved as follows:

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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 amendment for any site not identified in a County Board adopted planning study as appropriate for such a GLUP amendment will not be considered until such a planning study or analysis has been completed and presented to the County Board.

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Policy for Consideration of General Land Use Plan Amendments Unanticipated by Previous Planning Efforts: Adopted June 17, 2008

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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 the Planning Commission 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 meetings organized under the auspices of the Planning Commission 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.

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Appendix:

ARLINGTON COUNTY, VIRGINIA
RESOLUTION OF CONCERN REGARDING
BUILDING HEIGHTS RELATED TO THE NATIONAL CAPITAL MALL AXIS

WHEREAS, the National Capital Planning Commission has noted its concern over the height of structures in the area defined as the Mall Axis (including portions of the Rosslyn, Court House, Clarendon, and Virginia Square Metro Stations) in Arlington, Virginia;

WHEREAS, the Arlington County General Land Use Plan supports the concentration of high density development around the Metro Stations in the Rosslyn-Ballston Corridor;

WHEREAS, these high density concentrations are implemented through Arlington County Zoning Ordinance Districts which by site plan generally allow office structures of one hundred and fifty-three feet in height and residential structures of one hundred and eighty feet in height;

WHEREAS, the construction of buildings to these basic site plan heights at locations designated for high density in the Rosslyn-Ballston Corridor is well established by past policy and precedents;

WHEREAS, the Zoning Ordinance, in addition, permits the Arlington County Board to allow further increases in building heights (so called Bonus Provisions) based upon the provision of certain specified features, public amenities, and other considerations;

WHEREAS, Arlington County is sympathetic to the National Capital Planning Commission's desires to promote a visually satisfying environment which combines harmoniously the best examples of contemporary styles and design;

AND BE IT FURTHER RESOLVED that the Arlington County Board will encourage developers of high rise structures in these areas to use neutral and non-reflective facades to minimize their visual impact from the Mall area.

Adopted by the County board on 5/18/82

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ARLINGTON COUNTY, VIRGINIA
RESOLUTION ON NEIGHBORHOOD CONSOLIDATIONS
FOR SALE TO DEVELOPERS

WHEREAS, in recent months the County Board of Arlington, Virginia, (County Board) has become aware of increasing interest among homeowners in certain neighborhoods in consolidating their properties for sale to developers;

WHEREAS, the County Board makes a distinction between consolidations that lead to development according to the adopted General Land Use Plan, other elements of the comprehensive plan, and other County Board policies, and those consolidations that would lead to development inconsistent with such plans and policies;

WHEREAS, neighborhood consolidations involving appropriate, desirable, and timely development according to acceptable County land use plans and policies can speed worthwhile revitalization while promoting more coordinated development in fulfillment of County land use goals; and

WHEREAS, neighborhood consolidations that seek inappropriate higher density development in contradiction of General Land Use Plan and other community accepted land use plans and policies have adverse consequences for Arlington, including destabilization of already fragile neighborhoods, interference with County efforts to strengthen the quality of residential life, and encouragement of additional pressures to overturn worthwhile County land use goals;

Now, THEREFORE, BE IT RESOLVED, that the County Board declares as its general policy the discouragement of neighborhood consolidations that anticipate land uses incompatible with the General Land Use Plan, the several area sector plans, and other County land use plans, goals and policies.

BE IT FURTHER RESOLVED that the County Board shall distribute this resolution to civic associations and other appropriate organizations.

Adopted by the Arlington County Board on 9/21/85

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ARLINGTON COUNTY, VIRGINIA
POLICY FOR GROCERY STORES

It shall be the policy of Arlington County, Virginia, to support the retention and expansion of existing grocery facilities in Arlington, and to support the construction of new grocery facilities where feasible, appropriate, and in accordance with the County's general land use policies. Recognizing that different areas of the County and different residential and office populations may have differing grocery shopping requirements, County support and assistance will be equally available to independent operators and to major chains.

The Arlington County Board and the staff will seriously consider any reasonable proposal whose purpose is consistent with this policy. Interested parties are encouraged to bring forward suggestions for County action which would accomplish this purpose. Certain specific examples which are considered appropriate are as follows:

1. To seriously consider any reasonable suggestion for modification of County policies and regulations, (such as those pertaining to zoning, site plan, and parking standards) that would support the retention, expansion, or establishment of grocery stores.
2. To strongly encourage grocery operators and landlords to retain grocery stores as major tenants in existing shopping facilities, and to include grocery facilities in their new development projects.
3. To weigh, as part of any land use, zoning, or site plan decision, the impact of that decision on the community's grocery shopping needs.
4. To affirm the involvement of County staff in assisting grocery operators, the use of Arlington County Industrial Development Revenue Bond financing to support grocery store expansion and construction, (subject to the availability of funds) and the use of available financing programs of other agencies.
5. To support alternative approaches, whether publicly or privately initiated, for meeting the grocery shopping needs of special populations. Examples: Private home delivery, as offered by some independent grocers; transportation programs for the elderly and handicapped, etc.).

Adopted by the Arlington County Board on 10/5/85

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ARLINGTON COUNTY, VIRGINIA OPEN SPACE POLICY

Preamble

Open space benefits Arlington County through the conservation of natural and heritage resources, the protection of environmental quality, the provision of public facilities, the enhancement of neighborhoods, and the provision of visual and aesthetic relief in high density urban areas. An array of open spaces -- parks, natural areas, attractive streetscapes and scenic views, pedestrian passageways, landscaped buffers, historical sites, and athletic fields, amongst others -- helps to make Arlington an attractive and hospitable community for families, individuals, workers and visitors from all social and economic circumstances. The wise management of open space provides a vital framework for the unique features, character, and history of Arlington.

Policy

The impact of increased urban development in Arlington County has made open space preservation and enhancement more urgent than ever. The Arlington County Board recognizes that a comprehensive network of safe, quality open space is an essential and integral part of Arlington's vision for the future and a primary element in the development of the County's unique character. Therefore, to improve and promote the distinct identity and quality of life in Arlington County, the Board endorses the following guiding principles:

- Open Space - Arlington County shall insure, for this and future generations, the provision of an adequate supply of beneficial open space which is safe, accessible, and enjoyable and take the necessary steps to protect, enhance, and acquire open space to meet these needs.
- Acquisition - The County shall give high priority to preserving, enhancing, and expanding public open space assets, with particular attention to the protection of important, threatened natural and heritage resources and the securing of open space throughout the County.
- Recreational, Natural, and Heritage Resources - Arlington County shall insure the best utilization of parks and recreation facilities. The County shall preserve appropriate land areas in a natural state to conserve ecological resources, protect environmentally and historically significant areas, and carefully maintain active and passive recreation areas and open space in neighborhoods and metro corridors.

Implementation

Arlington County shall implement this Open Space Policy through the preparation and adoption of an Open Space Master Plan as an element of the Comprehensive Plan. The Open Space Master Plan shall guide the County in establishing and implementing open space management policies that promote the long-term health of Arlington's natural resources; provide ample, accessible, and affordable high-quality recreational opportunities for diverse users; and foster environmental education and community enjoyment of outdoor resources. The County will coordinate its open space management and programs with citizens, public schools, and regional, state, and federal park and natural resource agencies.

Adopted by the Arlington County Board on 9/26/92

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ARLINGTON COUNTY, VIRGINIA
RESOLUTION GOVERNING BUILDING HEIGHTS IN ROSSLYN

WHEREAS the Rosslyn Coordinated Redevelopment District ("RCRD") was created in 1996 and designated on the County's General Land Use Plan and sites within the "RCRD" have been rezoned to "C-O Rosslyn" and special exception site plans, with building heights up to 300 feet, may be approved by the County Board; and

WHEREAS the policies of the Arlington County General Land Use Plan and the Rosslyn Station Area Plan generally call for the greatest building heights to be focused closest to the Metro Station with building heights tapering down as locations are farther away from the station; and

WHEREAS the County Board believes that the skyline of the Rosslyn area, and areas outside the "RCRD" would benefit from the development of architecturally distinctive buildings, with the greatest heights focused around the Metro Station and tapering down in height toward the boundaries of the "RCRD"; and

WHEREAS the County Board finds that tapering of building heights as described in the previous paragraph will better provide for planning for improved use of land, will contribute to local economic development and to the furtherance of harmonious and attractive development in the County; and

WHEREAS the Board finds that the County's General Land Use Plan and supporting documents, the Rosslyn Station Area Plan Addendum, and the Zoning Ordinance set forth the foregoing land use policies, which policies the Board wishes to emphasize through a statement of general principles pertaining to development within the "RCRD",

THEREFORE the Arlington County Board hereby resolves that the following principles shall be used in considering the height and design of future site plans within the "RCRD" and directs the County Manager to consider these principles in the future planning of the Rosslyn Station area Plan update, and in future revisions to the "C-O Rosslyn" Zoning District:

- New buildings in the "RCRD" shall be architecturally distinctive with particular attention given to the design of the tops of the buildings and their impact on the Rosslyn Skyline;
- New buildings with the greatest building heights as permitted by site plan in the "C-O Rosslyn" Zoning District shall be generally located in the core of Rosslyn around the Metro station entrances; and
- Buildings farther from the core and closer to the boundary of the "RCRD" and adjacent to residential buildings shall generally taper down in height and shall be designed to achieve transitions to the adjacent planned and zoned land use densities and building heights in a way that furthers sound land use planning and good urban design.
- Consideration shall also be given to the impact on "view corridors".

- Further refinement and General Land Use Plan amendments shall be considered within the framework of a comprehensive review of the Rosslyn Sector Plan.

Adopted by the Arlington County Board on 9/17/02

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**Policy 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 amendment for any sites-not identified in a County Board adopted planning study as appropriate for such a GLUP amendment will not be considered until such a planning study or analysis has been completed and presented to the County Board.

Adopted by the Arlington County Board on 6/17/2008

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