



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of September 22, 2018

SUPPLEMENTAL REPORT – Revised Resolution and Reference Correction

DATE: September 19, 2018

SUBJECT: Request to authorize advertisement of public hearings by the Planning Commission and County Board to consider proposed amendments to Article 4 and Article 12 of the Arlington County Zoning Ordinance (ACZO) to allow for modification of fencing, coverage, and placement standards for Community Swimming Pools by County Board approval of a use permit, and to make other editorial changes to correct references and improve clarity.

DISCUSSION: A proposed revised resolution clarifies the three elements that could be modified with the draft language: fencing, coverage, and placement standards for community swimming pools, including the location requirements specified in §12.4.8.C. The resolution in the original staff report, dated September 14, 2018, indicated more broadly that setbacks could be modified, which in this case is the same as placement.

The revised resolution also corrects references to the County Board's authority to modify parking requirements for community swimming pools. This authority is specified in §14.3.7.C of the ACZO. The resolution in the original staff report lists both §14.3.7.B and §14.3.7.C in different sections of the report, but the correct ACZO citation is §14.3.7.C.

For convenient reference, staff has included the draft zoning text from the September 14, 2018 report in this supplemental report as Attachment A.

County Manager:

mgs/dmb

County Attorney:

[Signature]

CR Sanders

Staff: Nick Rogers, CPHD – Planning Division

RESOLUTION TO AUTHORIZE ADVERTISEMENT OF PUBLIC HEARINGS BY THE PLANNING COMMISSION ON OCTOBER 10, 2018 AND THE COUNTY BOARD ON OCTOBER 20, 2018, TO CONSIDER AMENDING, REENACTING, AND RECODIFYING THE ARLINGTON COUNTY ZONING ORDINANCE § 4.1.2 AND § 12.4.8, TO AUTHORIZE THE COUNTY BOARD TO MODIFY FENCING, COVERAGE, AND PLACEMENT STANDARDS FOR COMMUNITY SWIMMING POOLS BY USE PERMIT, AND TO MAKE OTHER EDITORIAL CHANGES TO CORRECT REFERENCES AND IMPROVE CLARITY; AND FOR OTHER REASONS REQUIRED BY PUBLIC NECESSITY, CONVENIENCE, GENERAL WELFARE, AND GOOD ZONING PRACTICE.

The County Board of Arlington County hereby resolves to authorize advertisement of public hearings by the Planning Commission on October 10, 2018 and the County Board on October 20, 2018 to consider amending, reenacting, and recodifying the Arlington County Zoning Ordinance § 4.1.2 and § 12.4.8, to authorize the County Board to modify fencing, coverage, and placement standards for community swimming pools by use permit, and to make other editorial changes to correct references and improve clarity; and for other reasons required by public necessity, convenience, general welfare, and good zoning practice.

* * *

Proposed amendments are shown with **bold underline** to denote text to be added, or **~~bold strikethrough~~** to denote text to be deleted. Text moved from one location to another is shown with **red** to show the new location and **~~bold red strikethrough~~** to show the original location. Where paragraphs are proposed to be added or deleted, all subsequent paragraphs will be renumbered accordingly; and all references throughout the Ordinance will be updated accordingly.

* * *

Article 4. Public (P) Districts

§4.1. Public (P) Districts Use Tables

§4.1.2 Public (P) districts principal use table

Table §4.1.2 lists the principal uses allowed within the P districts.

G. Use Categories

All of the use categories listed in the table below are described in §12.2. The first column of the use table lists the sub-categories. The second column of the use table lists the specific use types included within the respective sub-categories.

PUBLIC (P) DISTRICTS PRINCIPAL USE TABLE					
Use Category	Specific Use Types	S-3A	S-D	P-S	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted					
Public, Civic and Institutional Use Categories (§12.2.4)					
Community Service (See §12.2.4.B)	Swimming pools, community	P U		P U	§12.4.8

§12.4 Public and Civic Use Standards

§12.4.8. Swimming pools, community, semi-public and commercial

All community, semi-public, and commercial swimming pools shall comply with the following requirements:

A. Fencing

Notwithstanding the maximum fence height requirements specified in §3.2.6.A.3.e, the fencing or protection shall be ~~as specified by the Arlington County Swimming Pool Codes,~~ **but** no less than six feet in height.

B. Lighting

Where lighting is provided, all lights shall be arranged and hooded as to confine all direct light rays entirely within the boundary lines of the swimming pool property.

C. Location

No pool facility, building, structure, concession or other recreational use or space, except parking areas, shall be permitted in any required setback or yard area nor shall any such facility be permitted closer than 100 feet to the center line of any street in an R district or abutting property line in an R district. ~~Community pool parking areas shall not be located closer to the front street line or front site boundary than the building line established in the district in which the site is located.~~

- 1. Community swimming pool parking areas shall not be located closer to the front street line or front site boundary than the building line established in the district in which the site is located.**

D. Refreshments

Refreshments shall be allowed only as an incidental part of a swimming pool development and shall be operated solely for convenience. Refreshments shall be available only during the hours and the season when the pool is open for operation. ~~No advertising signs shall be permitted.~~

E. Modification of use standards for community swimming pools

- 1. For community swimming pools as defined in §18.2, the County Board may, through Use Permit approval pursuant to §15.4, modify the applicable regulations for fencing, coverage, and placement, including the location requirements specified in §12.4.8.C. Such modifications may be approved when the County Board finds that the modification will appropriately balance the affects of the structures, facilities, and other on-site features of the community swimming pool with the general welfare of the public and the interests of the immediately surrounding neighborhoods in accordance with § 15.4.3, subject to such conditions as the County Board may deem appropriate such as, but not limited to, the following:**
 - (a) limiting the impacts of the community swimming pool's structures, buildings, gathering spaces, and open spaces on adjacent residential neighborhoods**

through a combination of landscaping, fencing, open space, or other buffering alternatives; and

(b) limiting the operating hours of the community swimming pool to reduce impacts on surrounding residential neighborhoods.

F. Private swimming pools shall be subject to the requirements listed in §12.9.17.

~~(See also §12.8.2.M, private swimming pools)~~