



DEPARTMENT OF COMMUNITY PLANNING, HOUSING AND DEVELOPMENT  
Neighborhood Services Division

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# MEMORANDUM

TO: HALRB

Rebeccah Ballo, CPHD,  
FROM: Neighborhood Services

DATE: February 16, 2016

SUBJECT: Amendments to Sections 11.3, 15.7, and 18.2

## Background

In response to a request received in March 2015 from four former students of the Stratford Junior High School, the Historic Preservation Program and Arlington Public Schools (APS) have been working collaboratively towards the goal of creating a local historic district designation for the property. The creation and regulation of local historic districts is accomplished through the Arlington County Zoning Ordinance (ACZO); however, there is also a separate process for designating APS-owned properties established through a 2004 Memorandum of Understanding. A series of public hearings on the proposed local historic district designation have been held with both the Historical Affairs and Landmark Review Board (HALRB) and the Arlington School Board throughout 2015.

While working on the historic district designation request, APS and Arlington County staff have been holding public meetings regarding a planned new addition and renovation to the Stratford building and campus. The proposed addition would return the school to a neighborhood middle school and the H.B. and Stratford programs would move to a new school facility to be built on Wilson Boulevard in Rosslyn. Construction at both sites will commence so that the new schools can open by fall 2019. The use permit for the new addition and renovation at the Stratford School will be heard by the County Board in 2016.

The Stratford School was listed in the Virginia Landmarks Register in 2003 and the National Register of Historic Places in 2004. It was listed for both its architectural and historic significance. The Stratford School is the finest example of modern-style

architecture as applied to a school building in Arlington County. The school is also significant as it was the first racially integrated public school in Virginia. The school was integrated on February 2, 1959, marking the beginning of the end of the Commonwealth's policy of "massive resistance" to racial integration of the public school system. The HALRB found in public hearings that the property met 8 of 11 local historic district designation criteria set forth in the ACZO.

In order for this designation request to move forward, the County Board and the School Board have expressed mutual interest in creating a streamlined review process for Certificate of Appropriateness (CoA) applications for future alterations to the school. This new process requires that the Zoning Ordinance sections pertaining to historic preservation be amended. The proposed amendments will allow the County Board to review CoA applications, instead of the HALRB, and to narrow the scope and applicability of the historic district review to a select number of exterior alterations. In addition, the County Board directed staff to establish a process whereby the Board itself would have the exclusive authority to designate schools as historic districts. The County Board already has the authority to consider a rezoning and establishment of local historic districts on its own motion; however, the existing ordinance is proposed to be clarified to achieve that goal for future APS historic districts. The County Board's motion from the December 15, 2015 recessed meeting on this issue is attached to this report.

Staff proposes to amend Sections 11.3 (Historic Preservation Overlay District), 15.7 (Certificate of Appropriateness), and 18.2 (Definitions). These edits are limited in scope to create a new process that would alter the current authority of the HALRB regarding the review of CoA applications, and would grant the County Board the exclusive right to consider historic district designations for properties owned or ground-leased by APS.

## **Proposal**

The proposed amendments to Section 11.3 would grant the County Board the exclusive authority to designate APS-owned or ground-leased properties as local historic districts. The existing ACZO empowers the HALRB to receive referrals for historic district designation requests, and to hold public hearings on such requests. The HALRB then issues a series of findings, pursuant to §11.3.4.A, creates historic district design guidelines, and sends a completed report with a recommendation regarding historic district designation to the County Board. The amended ordinance would remove the HALRB from the referral and consideration process for APS-owned or ground-leased properties proposed for local historic district designation. Instead, the County Board would be the sole body to hold hearings on proposed school designations. This amendment will allow historic district designation requests for schools to proceed with minimal delay as only one set of public hearings will be required.

In addition, in the course of review, staff also noticed an incorrect reference in this subsection. This section still notes that the portion of the ACZO dealing with Certificates of Appropriateness is Section 15.8. It is, in fact, Section 15.7 and this change was made in a recent ZOA renumbering update. This edit will correct this error.

Section 15.7 requires amendments to create a new process for CoA review and approval. Currently, the HALRB is designated as the body which has sole authority for the review and approval of CoA applications. The Code of Virginia (§ 15.2-2306) allows any local governing body to both create historic districts and designate how those districts will be regulated through an adopted Zoning Ordinance. Typically, local governments create and appoint Architectural Review Boards to carry out regulations pertaining to local historic districts. The HALRB is that review body for Arlington County, and has served in that capacity since it was first created in 1976. However, the State Code does not require that a local government designate its authority to a Review Board; the local government may choose to retain that authority for itself.

The proposed amendments to Section 15.7 would give the County Board the authority to hear CoA cases instead of the HALRB for APS-owned or ground-leased properties that have been designated as local historic districts. The provision would apply only to school properties so designated as of January 1, 2016 going forward and would not be retroactive. The ACZO would require the County Board to use the same general criteria as the HALRB in deciding CoA cases, and those criteria would be informed by the historic district design guidelines for the given district. CoA cases involving schools would still be heard at publicly advertised hearings and reports to the County Board on such cases would continue to contain a recommendation from County staff, as they do for other properties in local historic districts.

Lastly, Section 18.2 requires an amendment to add a definition for Arlington Public Schools. The definitions for Certificate of Appropriateness and Historic district design guidelines require amendments for consistency. The amendment to the definition of Historic district is a technical update for a reference, similar to the proposed amendment to Section 11.3.

### **Process and Schedule**

This package of Zoning Ordinance Amendments was heard by the Zoning Committee of the Planning Commission (ZOCO) on January 19, 2016. The issue was raised at ZOCO that the County may be creating a process whereby it could be perceived that certain applicants are receiving preferential treatment by having the ACZO amended to address individual issues that are not the result of any flaw in the current CoA review process. ZOCO members also expressed concern that this new process is without precedent in Virginia. After a review of over thirty local zoning ordinances, staff has determined there is precedent for these proposed amendments, and that these changes are not unduly preferential. The City of Fairfax has created a hybrid model for deciding CoA cases, similar to the one being proposed by these amendments. For City-owned properties, the Fairfax City Council hears and decides CoA cases on its own motion. The proposed amendments for Arlington would only apply to APS-owned or ground leased properties, and not to all County-owned properties, as is the case in the City of Fairfax.

The proposed Zoning Ordinance Amendments have been scheduled for a ratification and request to advertise at the County Board on February 20, 2016. The County

Manager is recommending approval of the request. The next steps include a hearing at the Planning Commission on March 1<sup>st</sup> or 3<sup>rd</sup>, and County Board action on March 12<sup>th</sup> or 15<sup>th</sup>.

The HALRB has the opportunity to send a letter to the Planning Commission and County Board to be considered, and may also send a representative to speak at the public hearings on this item.

# Article 11. Overlay and Form Based Code Districts

## §11.3. HISTORIC PRESERVATION OVERLAY DISTRICT

### §11.3.2. Historical Affairs and Landmark Review Board

D. Responsibilities

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#### 2. Final decisions

(a) Approve, deny, or approve with conditions certificate of appropriateness applications in accordance with the provisions of ~~§15.8~~§15.7.

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### §11.3.4. Establishment of Historic Districts

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#### A. ~~Nominations for inclusion within an historic district shall be made by referral to the Review Board.~~

Nominations for inclusion within a historic district shall be made by referral to the Review Board, or, for properties owned or ground-leased by APS, to the County Board. The Review Board, or, for properties owned or ground-leased by APS, the County Board, shall have reason to believe that at least two of the 11 qualifying criteria are present prior to initiating its study of the nomination. The County Board shall maintain exclusive authority over the designation process of historic districts for properties owned or ground-leased by Arlington Public schools.

1. The owner of any property being considered for inclusion in a historic district shall be informed of the nomination within 10 business days of the receipt of a request for consideration via first class mail.
2. The Review Board, or, for properties owned or ground-leased by APS, the County Board, shall base its decision upon studies, documentation and/or research, and shall prepare or cause to be prepared, a report on the historic significance of the proposed historic district.
3. The Review Board, or, for properties owned or ground-leased by APS, the County Board, shall hold a public hearing to consider the historic district status after due notice has been given to the owners of all properties to be included in such district(s), and the civic association which includes the proposed district within its boundaries.
4. The Review Board, or, for properties owned or ground-leased by APS, the County Board, shall not recommend designation unless it finds that at least two of the criteria, below, have been met. The Review Board, or, for properties owned or

39 ground-leased by APS, to the County Board, retains the authority to not recommend  
40 designation even if the property does meet at least two of the following criteria:

- 41 (a) The property is listed or is eligible for inclusion in the National Register of Historic  
42 Places;
- 43 (b) The property has character, interest, or value as part of the development, heritage,  
44 or cultural characteristics of the county, state, or nation;
- 45 (c) The property was the site of a significant local, state, or national event;
- 46 (d) The property is associated with a person or persons who significantly contributed to  
47 the development of the county, state, or nation;
- 48 (e) The property embodies distinguishing characteristics of an architectural style  
49 valuable for the study of a period, type, or method of construction;
- 50 (f) The property is identified as the work of a master builder, architect, or landscape  
51 architect;
- 52 (g) The property embodies elements of design, detailing, materials, or craftsmanship  
53 that render it structurally or architecturally significant;
- 54 (h) The property has a distinctive location, or singular physical characteristics that make  
55 it an established visual feature;
- 56 (i) The property is a particularly fine or unique example of a utilitarian structure  
57 representing a period or style in the commercial, industrial, or agricultural  
58 development of the county, with a high level of historic integrity or architectural  
59 significance;
- 60 (j) The property has the potential to yield information important to the prehistory or  
61 history of the county, state, or nation; or
- 62 (k) The property is suitable for preservation or restoration.
- 63 5. If the Review Board recommends designation, then written copies of the Review  
64 Board's recommendation, including determinations of historical significance, and  
65 recommendations concerning the area to be included in the proposed historic  
66 district, shall be transmitted for review to the County Board.
- 67 6. If the Review Board recommends designation of a historic district, it will forward,  
68 with such recommendation, proposed Historic District Design Guidelines for the  
69 district to be considered for adoption by the County Board. Provided, however, that  
70 the Review Board may recommend that the County Board consider designation of a  
71 historic district without proposed design guidelines upon a finding that taking time  
72 to develop such guidelines would present a substantial risk that historic resources  
73 proposed to be preserved by the designation would be damaged or destroyed.  
74 Where design guidelines are not proposed with a recommendation for designation,  
75 the Review Board shall recommend design guidelines for approval by the County  
76 Board at the earliest practicable date after designation.
- 77 (a) In the event that the Review Board does not recommend designation, the County  
78 Board, upon its own motion, may initiate the designation process.

- B. The County Board shall act on the recommendations, either from the Review Board, or in the case of properties owned or ground-leased by APS, on its own recommendations, in accordance with the normal zoning approval procedure as specified in the Code of Virginia. The designation of such a historic district shall be shown as an overlay on the map referred to in §2.1.
- C. Upon adoption of the ordinance, the owners and occupants of each designated historic district shall be given written notification of such designation by the County Board.

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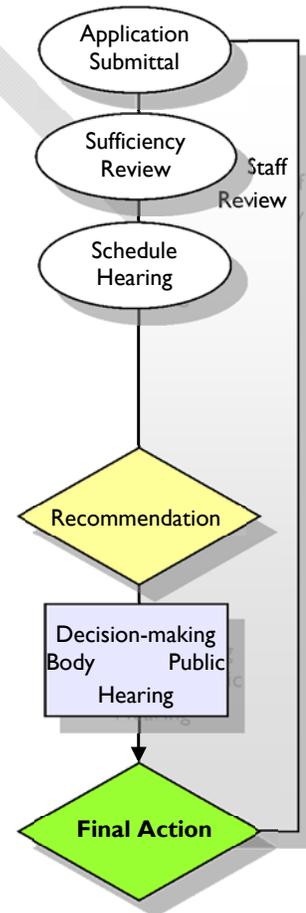
## Article 15. Administration and Procedures

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### §15.7. Certificate of Appropriateness (CoA)

#### §15.7.1-§15.7.2. Applicability

- A. After the designation of an historic district, no exterior portion of any building or other structure (including walls, fences, light fixtures, steps and pavement, or other appurtenant features) nor above ground utility structure nor any type of outdoor advertising sign shall be erected, altered, restored, moved or demolished within such district until after an application for a certificate of appropriateness (CoA) has been submitted to and approved, in accordance with ~~§15.7.6 below, by the Review Board or its designee, or, on appeal from a decision of Review Board, by the County Board~~ the provisions of this §15.7 as being architecturally or historically compatible with the historic district, buildings, or structures therein.
- B. The CoA must be issued ~~by the Review Board or its designee, or, on appeal, by the County Board~~ prior to the issuance of a building permit (or other permit granted for purposes of constructing or altering structures).
- C. A CoA shall be required regardless of whether or not a building permit is required.



#### §15.7.2-§15.7.3. Required findings for Administrative Approval

The Review Board may authorize ~~county staff~~ its designee to issue certificates of appropriateness that meet certain standards. Notwithstanding provisions in this § 15.7 to the

117 ~~contrary, the designee Staff~~ may administratively issue a CoA where the design guidelines or the  
118 Review Board has specified:

- 119 A. ~~Which The~~ properties are eligible for designee action;
- 120 B. The specific category of modifications for which the designee may grant a CoA; and
- 121 C. The standards the designee must use in deciding whether to issue the CoA.

#### 122 ~~§15.7.3.~~ §15.7.4. **Scope of review**

123 The Review Board or, ~~on appeal,~~ the County Board as applicable shall not consider interior  
124 arrangement as part of CoA review, and ~~shall take~~ no action shall be taken under this subsection  
125 except for the purpose of preventing the construction, reconstruction, alteration, restoration,  
126 moving or demolition of buildings, structures, appurtenant fixtures, outdoor advertising signs or  
127 natural features in the historic district which would be incongruous with the historical aspects of  
128 the district.

#### 129 ~~§15.7.4.~~ §15.7.5. **Setback modification permitted**

130 As part of the certificate of appropriateness review process, the Review Board may find that the  
131 proposed setback for buildings and structures is consistent with the existing streetscape and  
132 historic district guidelines even though such setback is inconsistent with the requirements of the  
133 underlying zoning district. When the Review Board makes this finding, the zoning administrator  
134 shall grant a modification to the underlying setbacks, unless such modification violates visual  
135 clearance requirements from §3.2.6.A.4.

#### 136 **§15.7.5. Time limitations**

137 Any CoA issued pursuant to ~~thise sections §15.7~~ shall expire 12 months from the date of  
138 approval if the authorized work has not commenced if a building permit is not required. If a  
139 building permit is required, it must be diligently pursued by the applicant after the CoA approval.

#### 140 **§15.7.6. Application requirements**

141 All applications for ~~certificates of appropriateness~~ CoAs shall be submitted on forms specified by  
142 the county. When an initial determination has been made that the application is complete, then  
143 the application shall be forwarded to the Review Board, or County Board, as applicable. ~~The~~  
144 ~~Review Board may request additional information if needed.~~ Additional information may be  
145 requested as needed in order to complete the review.

#### 146 **§15.7.7. Advertising**

147 Prior to action on a CoA, ~~the Review Board or, on appeal to the County Board as provided by §~~  
148 ~~15.7.10. C, below, the County Board shall give~~ the applicant and other persons shall be given an  
149 opportunity to be heard at a public hearing after the following notices ~~have~~ has been given:

- 150 A. A notice of the public hearing shall be published 10 days prior to the hearing date in  
151 a newspaper having general circulation in the county;
- 152 B. Notice shall be sent by first class mail to owner(s) of the property which will be the  
153 subject of the hearing and owner(s) of abutting property and property immediately  
154 across the street from the affected property, including any property which lies in an  
155 adjoining jurisdiction, at least 10 days prior to the public hearing;

- 156 C. The civic association representing the neighborhood where the affected property is  
 157 located shall be notified in writing at least seven days prior to the public hearing;  
 158 and,
- 159 D. One placard containing the public hearing notice shall be posted on the affected  
 160 property and no fewer than four placards shall be posted in the surrounding  
 161 neighborhood at least seven days prior to the public hearing. If any setback  
 162 modifications are requested as part of the CoA, that information should be included  
 163 in all notices.

#### 164 §15.7.8. Signs requiring a CoA

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165 For all signs for which a Certificate of Appropriateness CoA is required, the Historical Affairs and  
 166 Landmark-Review Board, or the County Board, as applicable, shall approve a Certificate of  
 167 Appropriateness CoA for a sign or modification of a sign in an historic district only if it finds that:

- 168 A. The size, scale and design of the sign shall be compatible with the size, scale and  
 169 design of the property, building or site upon which it is to be located;
- 170 B. The materials used in the sign shall be compatible with the period and style of the  
 171 property, building or site;
- 172 C. The lighting of the sign shall be consistent with the period and style of the property,  
 173 building, site or district, as applicable;
- 174 D. The location of the sign shall not obscure any significant architectural features of the  
 175 building or site; and
- 176 E. Installation of the sign shall not irreparably damage any cornice, ornament or similar  
 177 architectural detail and shall be the least damaging method feasible for the  
 178 property, building or site.

#### 179 §15.7.9. Design guidelines

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- 180 A. Historic district design guidelines shall be adopted and amended by the County  
 181 Board.<sup>1</sup>
- 182 B. The Review Board may approve minor updates to design guidelines, except for  
 183 those APS-owned or ground-leased properties designated after January 1, 2016.  
 184 Design guidelines shall not be created, amended, or updated except after a public  
 185 hearing.
- 186 C. The design guidelines shall also describe which modifications, if any, can be  
 187 administratively approved, and shall provide specific standards for such approval  
 188 (See § 15.7.2 for requirements).
- 189 A.D. The Review Board or the County Board in accordance with § 15.7.13 shall utilize the  
 190 historic district design guidelines relevant to the specific historic district under  
 191 consideration in its their review of any application for alterations to an exterior  
 192 feature CoA and make a decision in accordance therewith. The design guidelines will  
 193 guide and inform the decisions of the Review Board with regard to these exterior

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<sup>1</sup> Text moved verbatim from within § 15.7.9.A.

194 ~~alterations CoAs. The design guidelines are for the benefit of the applicant as well as~~  
 195 ~~the Review Board. Historic district design guidelines shall be adopted and amended~~  
 196 ~~by the County Board, with such minor administrative amendments or updates as~~  
 197 ~~may be approved by the Review Board.~~

198 ~~B. The design guidelines shall also describe which modifications, if any, can be~~  
 199 ~~administratively approved by its designee, and shall provide specific standards for~~  
 200 ~~such approval.~~

201 ~~C.~~ C. All design guidelines established, adopted, or amended by either the County  
 202 Board or the Review Board on or before May 22, 2010 shall be in full force and  
 203 effect, as though adopted by the County Board in a manner consistent with this  
 204 zoning ordinance, until such time as the County Board, or the Review Board in the  
 205 case of minor administrative amendments or updates, acts to amend them.

206 ~~D. Design guidelines shall not be created, amended, or updated except after a public~~  
 207 ~~hearing.~~

208 ~~E.~~ F. For districts without approved design guidelines, The Secretary of the Interior's  
 209 Standards for Rehabilitation, The Secretary of the Interior's Standards for the  
 210 Treatment of Historic Properties with Guidelines for the Treatment of Cultural  
 211 Landscapes, or The Secretary of the Interior's Standards and Guidelines for  
 212 Archaeology Documentation shall be used to guide the CoA review process as  
 213 amended.

#### 214 §15.7.10. Appeals

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215 A. If the Review Board makes the findings called for in §15.7.2, or, after an appeal as  
 216 provided in §15.7.10.C, the County Board determines that the proposed  
 217 construction, reconstruction, alteration, moving or demolition is appropriate, it shall  
 218 forthwith approve such application and shall issue to the applicant a CoA.

219 B. If the Review Board or, after an appeal as provided in §15.7.10.C, the County Board  
 220 determines that a CoA should not be issued, it shall forthwith notify the applicant of  
 221 such determination, furnishing him a copy of the reasons therefore and the  
 222 recommendations, if any, as appearing in the records of the Review Board.

223 C. Any person or persons jointly or severally aggrieved by any final decision of the  
 224 Review Board, may, within 30 days after the final decision, have the right of appeal  
 225 to the County Board of Arlington County by filing a petition which shall stay the  
 226 decision of the Review Board pending the outcome of the appeal, provided that  
 227 such a petition shall not stay a decision which denies the right to raze or demolish a  
 228 historic landmark, building or structure. The County Board may reverse or modify, in  
 229 whole or in part, any decision it finds upon review to be contrary to law or that is  
 230 arbitrary and constitutes an abuse of discretion, or it may affirm the decision of the  
 231 Review Board. The County Board may also reverse or modify the decision of the  
 232 Review Board where the decision is based upon elements of the design guidelines  
 233 that were amended solely by the Review Board after May 22, 2010 and the County  
 234 Board finds that those elements are not consistent with the purpose and intent of  
 235 the County Board adopted design guidelines, or of the historic district designation.

236 D. Any person or persons jointly or severally aggrieved by any final decision of the  
 237 County Board may within 30 days after the final decision have the right to appeal to  
 238 the Circuit Court by filing a petition at law which shall stay the decision of the  
 239 County Board pending the outcome of the appeal, provided that such a petition  
 240 shall not stay a decision which denies the right to raze or demolish a historic  
 241 building or structure within a historic district. The Circuit Court may reverse or  
 242 modify, in whole or in part, any decision it finds upon review to be contrary to law  
 243 or that is arbitrary and constitutes an abuse of discretion, or it may affirm the  
 244 decision of the County Board.

#### 245 §15.7.11. Right to demolish or raze

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246 A. In addition to the right of appeal, the property owner shall have a right to demolish  
 247 or raze such building or structure in a historic district provided that:

248 1. The owner has applied ~~to the Review Board for a CoA~~ for such right and on appeal  
 249 been denied such right by the County Board;

250 2. The owner has, for the period of time set forth below at a price reasonably related  
 251 to fair market value, made a bona fide offer to sell such building or structure and  
 252 the land pertaining to it to the county or to any person, firm, corporation,  
 253 government or government agency, political subdivision or agency, which give  
 254 reasonable assurance that it is willing to preserve and restore the landmark, building  
 255 or structure and the land pertaining to it; and

256 3. No bona fide contract, binding on all parties to it, shall have been executed for the  
 257 sale of any such landmark, building or structure and the land pertaining to it, prior  
 258 to the expiration of the period of time set forth below.

259 B. No such offer to sell may be made more than one year after a final decision of the  
 260 County Board but no appeal to the Circuit Court from a decision of the County Board  
 261 shall stay or otherwise impair the right of such owner to offer for sale. After one  
 262 year has passed from any such final decision (which has not been appealed or has  
 263 been affirmed) of the County Board, the owner may renew his request ~~to the~~  
 264 ~~Review Board for approval of a razing or demolition of the historic building or~~  
 265 ~~structure.~~

#### 267 §15.7.12. Question as to price

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268 The fact that a building or structure has been offered for sale at a price reasonably related to fair  
 269 market value (FMV) may be questioned, provided that a petition in writing is filed with the  
 270 county manager within 15 days after the offer of sale has begun. The petition may be filed by  
 271 the Review Board, or a petition in writing signed by at least five persons owning real estate in  
 272 the vicinity of the property offered for sale. Alternatively, the county manager may do the same  
 273 within the same time frame. The county manager retains the discretion to accept or reject the  
 274 aforementioned petitions as grounds for initiating an appraisal process. Within 15 business days  
 275 after the filing of a petition questioning the reasonableness of the sale price offered, the county  
 276 and the owner shall each give written notice to the other setting forth the name and address of  
 277 an appraiser licensed to perform appraisals in the Commonwealth of Virginia (appraiser),  
 278 selected by such party, who has agreed to act in such capacity to determine whether the  
 279 offering price of the property is reasonably related to the FMV of the property. If either party

280 shall fail to select an appraiser aforesaid, and such failure shall continue for a period of 10  
 281 business days after receipt of written notice from the other party, then the FMV shall be  
 282 determined by the appraiser selected by the other party. When the appraiser(s) have been  
 283 selected, then each appraiser shall thereupon independently make his/her determination of  
 284 whether the offering price of the property is reasonably related to the FMV of the property  
 285 within 21 days. If the two appraisers' disagree significantly as to their determinations of the FMV  
 286 of the property, then the two appraisers shall appoint a third appraiser within 10 business days  
 287 after the second of the two determinations described above has been rendered. The third  
 288 appraiser shall independently make his/her determination of whether the offering price of the  
 289 property is reasonably related to the FMV of the property within 30 days after his/her  
 290 appointment. Each party shall pay for the cost of its appraiser and one-half of the cost of the  
 291 third appraiser. The opinion of any two of the three appraisers shall be final and binding. In the  
 292 event the opinion is to the effect that the offer to sell the building or structure is at a price  
 293 reasonably related to its FMV, the owner may continue to offer the property for sale pursuant to  
 294 §15.7.11 through §15.7.11.C. In the event the opinion is to the effect that the offer to sell the  
 295 building or structure is not at a price reasonably related to its FMV, the date of the offer to sell  
 296 first established pursuant to §15.7.10.B shall be void and the owner, if he wishes to take  
 297 advantage of the right provided in said section, must re-file the notice provided for above.  
 298 Notwithstanding an adverse opinion by the appraisers if an owner has entered into a binding  
 299 contract as provided in §15.7.11.A.3 prior to the date the appraisers have filed their report with  
 300 the county manager, the price shall be deemed reasonably related to the FMV, for the purposes  
 301 of this contract.

### 302 §15.7.13. Arlington Public Schools Historic Districts

- 303 A. In historic districts designated after January 1, 2016, where the property is owned  
 304 or ground-leased by Arlington Public Schools (APS), the County Board shall be  
 305 responsible for reviewing and making decisions regarding CoA applications as  
 306 provided in this §15.7.13. The County Board shall render its decision after  
 307 considering comments forwarded by the Review Board, if any, regarding the  
 308 architectural and historical appropriateness of the proposed alterations.
- 309 B. When reviewing CoA applications for property owned or ground-leased by APS, the  
 310 County Board shall evaluate such applications in the context of the applicable design  
 311 guidelines.
- 312 C. Design guidelines for historic districts referred to in § 15.7.13.A shall specify those  
 313 modifications and additions which shall require a CoA.
- 314 D. In rendering its determination for a denial of a CoA, the County Board shall notify  
 315 the applicant of such determination, furnishing a copy of the reasons therefore and  
 316 the recommendations, if any, as appearing in the records.

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## 320 **Article 18. Definitions**

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## 322 §18.2. General Terms Defined

323 For the purposes of this zoning ordinance certain terms and words used herein shall be defined and  
324 interpreted as follows.

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328 APS. Arlington Public Schools.

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330 Certificate of appropriateness (CoA). See also §15.7. A certificate issued by the Historical Affairs and  
331 Landmark Review Board, ~~or its designee, or on appeal~~, the County Board, or its designee,  
332 authorizing alteration, construction, relocation, restoration, grading, or demolition of any  
333 building, sign, appurtenance, structure, object, parcel of land or building located within a locally  
334 designated historic district and, separately, properties governed by the Columbia Pike Form  
335 Based Code Ordinance.

336 \*\*\*

337 Historic district. A landmark, building, structure, property, land or area that is included within an overlay  
338 district as established by ordinance adopted by the County Board in accordance with §11.3.2.  
339 Such overlay district shall not have boundaries that extend farther than the property line of the  
340 land pertaining to such district.

341 Historic district design guidelines. Those guidelines adopted by the County Board, pursuant to §11.3, and  
342 intended to guide and inform ~~the decisions of the Historical Affairs and Landmark Review~~  
343 Board decisions regarding CoAs ~~—with regard to alterations to the exterior features of a~~ within a  
344 locally designated historic district.

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## Stratford School Historic Designation Motion

I move that the County Board direct the Acting County Manager to set aside, for the purpose of designating the Stratford property as a local historic district, the 2004 Memorandum of Understanding regarding the designation of Arlington Public Schools (APS) properties as local historic districts.

I further move that the Acting County Manager collaborate with his counterpart in the County:

- (i) to draft proposed designation language which recognizes, emphasizes, and honors the fact that on February 2, 1959 four black students—Michael G. Jones, Gloria Thompson, Ronald Deskins and Lance D. Newman—courageously walked through the doors of Stratford Junior High School and enrolled as 7th grade students, thus making Stratford Junior High School the first public school in the Commonwealth of Virginia to be racially integrated, and
- (ii) to identify concise design guidelines that balance the importance of honoring the events of 1959 with the School Board's ongoing obligation to respond to the changing needs of its student population without delay and within available funding limits. The guidelines shall be based on criteria drawn from the existing state and federal historic designation\*.

Upon adoption by the County Board, with School Board concurrence and the adoption of an appropriate Zoning Ordinance amendment, these design guidelines shall be used by the County Board to evaluate requests for Certificates of Appropriateness for additions to or exterior alterations of the Stratford building that require approval of a use permit by the County Board.

I further move that the County Manager prepare for County Board consideration of adoption prior to or concurrently with its consideration of the Use Permit for the new addition such amendments to the County's Zoning Ordinance as are necessary to establish the authority and processes for local historic designation of school properties exclusively by the County Board and for consideration exclusively by the County Board, with advice from the HALRB, of requests for certificates of appropriateness for additions or other exterior alterations to those properties.

\*The following statements, drawn from the existing state and federal historic designations, shall form the basis for the design guidelines:

1. *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*
2. *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*
3. *Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*
4. *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*
5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*
6. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design,*

*color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.*

*7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*

*8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*

*9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*

*10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*