



DEPARTMENT OF COMMUNITY PLANNING, HOUSING AND DEVELOPMENT
Neighborhood Services Division

Courthouse Plaza One 2100 Clarendon Boulevard, Suite 700 Arlington, VA 22201
TEL 703.228.3830 FAX 703.228.3834 www.arlingtonva.us

MEMORANDUM

TO: HALRB

Rebecca Ballo, CPHD, Historic

FROM: Preservation

DATE: October 11, 2017

SUBJECT: Amendments to ACZO Section 11.3 re: Local Historic District Designations

Background

Arlington County's Historical Affairs and Landmark Review Board (HALRB) and Historic Preservation Program (HPP) staff have documented and proposed properties for local historic district designation by the County Board since 1976. There are currently 40 local historic districts that include garden apartments, single-family houses, churches, cemeteries and graveyards, commercial buildings, schools, community halls, and even a natural rock formation. Local historic districts have been considered by the County Board based on HALRB recommendations, neighborhood requests, individual requests, and on the Board's own motion.

At the request of the County Board, the HPP staff, in collaboration with Zoning and other CPHD staff, have developed a number of proposed amendments to the local historic designation requirements called out in Section 11.3 of the Arlington County Zoning Ordinance (ACZO). The Historic Preservation Overlay District Ordinance (Section 11.3 of the ACZO) currently allows a designation request to be filed by any person for any number of properties. Currently, no background materials or forms are required to be filed; all requests are accepted by the HPP office. This open policy has led to numerous historic district studies, and the majority have resulted in historic district overlay zones being approved by the County Board. However, some requests have generated a burdensome workload on the HPP program and the HALRB, and at times have been filed for large acreages and numbers of properties without first informing or consulting affected property owners.

In order to create a process that is more uniformly and predictably regulated, the HPP staff is proposing amendments to Section 11.3 of the ACZO. Standards vary widely within Virginia regarding how different jurisdictions regulate who has the standing to apply for historic preservation district overlay studies. Several jurisdictions do not impose any standards within their zoning ordinances. Others limit the proposals to the Architectural Review Board and local governing body (e.g., Town Council, County Council) for that authority. Some localities, such

as Lynchburg, require a petition with signatures before a request will be considered; some have application forms, while others rely on informal memos and letters. In drafting this ZOA, the HPP staff referenced the Site Plan review process and its application form for initial guidance, as well as the forms used by the Virginia and Maryland State Historic Preservation Offices to document historic buildings. Staff also considered making targeted changes to the Ordinance that would balance the desire to study and designate properties with the workload capacity of the HPP and the HALRB, along with the equity of making study requests for large numbers of property owners without their knowledge and without first obtaining a measure of their consent to be involved in such a process.

Proposal

The proposed zoning text amendments provide for the following:

- A request for local historic district designation must be made on a County application form (still being developed/revised internally).
- The application form will require specific documentation (narratives pertaining to physical descriptions and historical significance, plus photographs and bibliographical references) and a multi-step internal review process prior to scheduling a public hearing with the HALRB.
- For multi-property designations, the new amendment will limit who may apply to:
 - Civic Associations, Home Owners Associations, or Condo Boards for properties within their own boundaries; or
 - Petitioners with documented support of 25% of property owners in a defined area. One property would count as 1 vote (so if 4 trustees to a property, it still only counts as 1 vote).
- For individual property designations, historic preservation overlay requests will be limited to Arlington residents or property owners.
- The HALRB, Arlington Public Schools (APS), and the County Board retain authority to initiate studies and recommend designations as they can do now.

Process and Schedule

The proposed Zoning Ordinance Amendments have been tentatively scheduled for a request to advertise at the County Board in November 2017. The proposal also will be reviewed by the Zoning Ordinance Committee of the Planning Commission (ZOCO), also likely in November. The next steps will include a public hearing at the Planning Commission and potential adoption by the County Board in December.

After adoption, staff will finalize the application form that would be available on the County website and via paper copy in the HPP office.