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## Zoning Committee of the Planning Commission (ZOCO) Meeting Summary, May 12, 2015. PC

**Members in Attendance:** Erik Gutshall (chair); Steve Cole; Brian Harner; Jane Siegel **Staff:** Deborah Albert, Steve Cover. **Community Members:** Brian Devine; Carrie Johnson; David Kinney; Barnes Lawson; Rob Mandle; Martha Moore; Inda Stagg; Kedrick Whitmore

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ZOCO, joined by community members, discussed the Zoning Ordinance amendment process. Staff gave an overview of the purpose of the discussion, in response to County Board guidance to discuss the effectiveness of Zoning Ordinance review processes with the Planning Commission, and intent to use the feedback received to help inform future processes. Comments raised in the discussion are summarized below; because ZOCO was joined by community members in this discussion, general affiliation of the commenter is provided in parentheses.

### Where on the IAP2 public participation spectrum is the right place for Zoning Ordinance amendment review?

- (Civ Fed) Review and input is needed at every stage of every process. By the time an RTA for a major policy initiative gets to the County Board it is too late for public comment. Deadlines for finishing a study seem artificial.
- (ZOCO) The public participation spectrum is a continuum and it seems like the charge from the County Board is at the “involving” stage, not the “collaborate” stage. Collaboration puts all groups at the table with a level playing field, and while it can create good work, it creates a very long difficult process.
- (Citizen) Different types of ZO amendments lend themselves to different types of process, there is no one-size-fits all
  - (ZOCO) It is important to determine who are the right people for a working group, and often ZOCO is that group. Other studies lend themselves to a broader group.
  - (Attorney) ZOAs should be classified based on how they impact single-family neighborhoods
- (ZOCO) The County Board has made itself responsible to citizens; it asks both staff and Planning Commission to provide recommendations, but has not formally asked others to provide such recommendations, so when people talk about collaboration, it raises the question of “with whom?” Collaboration implies the shifting of responsibility and would slow things down considerably, which may be either good or bad.
- (ZOCO) At the start of each process, it should be clear where we are on the public participation spectrum. Collaboration does not necessary mean reaching every citizen, as we need to be efficient.

### How should information and feedback from stakeholders be shared?

- (ZOCO) Some items considered by the Planning Commission have implications for landowners and architects. Impacts are not always transmitted to the Planning Commission in a public way. When staff boils down input from other groups to share with the Planning Commission, the Planning Commission does not always get a picture of what those groups have told staff. The Planning Commission needs to be more a part of the public process.

- (Chamber) One suggestion was made to share meeting notes after each outreach meeting; and take advantage of alternative meeting forms to reach more people who cannot always make it to public meetings (e.g. polling; deliberative surveys)
- (Civ Fed) Comment/response matrices are too limited. Some people felt brushed off by responses in a matrix. Much longer and more detailed responses are preferred.
  - Staff responded that it has a responsibility to make decisions, and should not be spending a disproportionate amount of time on detailed responses

#### **Is there a recent process that worked well?**

- (Attorney) The ZORC [committee with self-appointed membership that preceded ZOCO, made up of citizens, Commissioners and staff] model worked well because it provided opportunity to collaborate, identify issues and discuss unforeseen ramifications
  - (ZOCO) In the past Planning Commissioners may have felt that ZORC was not an effective mechanism because they felt overburdened. A citizen responded that the feeling of being overburdened was not unique to ZORC
  - (ZOCO) The specific issue should define who is at the table rather than a self-appointed group.
  - (citizen) Ad-hoc committees can be very useful; the Fort Myer Heights North plan very successfully used an ad-hoc committee

#### **How could the process be different?**

- (BID) Economic competitiveness needs to be considered as part of every amendment. For example, the sign regulations originated from a business need, but through the process when other issues were raised, the original intent was diluted and the amendment was not able to focus on the main issues; short term uses was about economic competitiveness but through the process became about not overriding site plans, which was not the point
- (All) Goals need to be clear and stated at the beginning of any process

#### **What is the role of ZOCO?**

- (ZOCO) For some items a more collaborative model may be more effective; at times it would help to engage a working group prior to drafting zoning language; For other items, such as plan implementation, it makes more sense to use ZOCO to review language with less public input at the zoning implementation stage. This would maintain an opportunity for ZOCO to have an informal working process in the stage where the specific zoning implementation is drafted. When appropriate, ZOCO could also have public comment as part of its agenda
- (Civ Fed) Only a few Planning Commissioners are familiar with the Zoning Ordinance and ZOCO meetings are not well-attended. Citizens should be defining the issues.
  - (citizen) The County has a responsibility to set priorities regarding what issues warrant staff time and considerable discussion.

- (citizen) There are times when an issue co-chaired by a Planning Commissioner and staff will provide a better sense of the issues. Perhaps the Civic Federation could establish a group on its own and present ideas to the County Board.
- (citizen) Not every working group needs to be formally appointed; self-appointed ad-hoc committees can be effective
  - (ZOCO) There is a balance: while ad-hoc is nimble and flexible and may bring in other voices, it can also evolve into the trap of being obscure and inflexible if too unstructured.
  - (ZOCO) A grass-roots effort at some point would need to evolve into a more formal process with some staff involvement (e.g. the Lee Highway process)
- (ZOCO) ZOCO provides an effective mechanism for Planning Commissioners to work informally on ZOAs; it provides a helpful way for Commissioners to learn about issues.

### **What is the obligation of Planning Commissioners to be aware of the view of other stakeholders?**

(comments from ZOCO members follow)

- Planning Commissioners are not elected and do not have the same responsibilities as elected officials; it is up to the individual to determine how much personal time should be spent educating oneself on the issues
  - One suggestion is to ask staff to religiously share what they are hearing
- It is important to hear other viewpoints; when appropriate, inviting other voices to participate in ZOCO can be useful
- Agree that there is an obligation to reach out – some rely on staff and the ZOCO chair to identify other voices in the process to help digest the issues

### **Wrap-up**

- (Attorney) It is helpful to have input into amendments prior to advertisement – sometimes it seems like there is not enough time to comment prior to advertisement
- (BID) Economic competitiveness should be part of every conversation
- (Attorney) ZOAs differ from development project review and area plan review in scope, complexity and purpose; development projects follow a specific agenda, area plans are typically governed by a charge from the County Board, whereas ZOAs range from broad to narrow, so it is important to identify the right participants for each amendment
- (Civ Fed) We have a list of items we want addressed and have decided that we need our own process
- (Chamber) Agree that economic competitiveness is important to consider; also encourage the use of polls and surveys to reach out to those who are unable to attend traditional meetings
- (Attorney) Prefer the ZORC model and do not understand why it went away
- (citizen) Inform the community about topics prior to developing language in order to start the engagement process earlier in development of ideas
- (policy advocate) Openness and transparency is important. Arlington is much more open than many other Virginia jurisdictions and has an opportunity to be a leader in the Commonwealth
- (staff) need to ensure that processes are efficient.