



The Civic Voice



Newsletter of the Arlington County Civic Federation | November 2017 | Volume 102 Issue 3

Please join us at 6:30 pm in the Hazel Auditorium's lobby to enjoy light refreshments.

From the President's Desk....

Dear Delegates, Alternates, and Presidents of Member Organizations,

Drum roll please!! Save the date – May 4, 2018. Our Annual Banquet will feature **Alan Ehrenhalt** – Former Executive Editor, Governing Magazine, and **Peter Rousselot** – Columnist of the ARLNow opinion column, "Peter's Take." We promise to have a lively conversation under the theme of Arlington's Growth Express - Still on track...or off the rails? See the [flyer](#) elsewhere in the Newsletter for more details.

Our October meeting was a success with the second round Candidates Forum featuring uncontested candidates for State Delegate races – “Rip” Sullivan, Patrick Hope, and Mark Levin.



This was followed by a presentation on the Close Out process and Fund Balance moderated by Frank Shafroth and including participation by Arlington County’s CFO, Stephen Agostini, Budget Director Richard Stephenson, former Arlington Deputy Treasurer John Touhy, and Suzanne Sundburg. What was discussed was why Arlington’s approach to Fund Balance differs from what is practiced in other jurisdictions.

Considering that the close out process is ongoing now, it was a timely presentation. For those interested in reviewing the presentation it can be viewed here at the [28:30-minute mark](#). Here are the accompanying [Fund Report](#) and [Presentation documents](#) for those interested in getting more information about the nature of Fund Balances and Cash Reserves in Arlington.

We also began the process of rolling out information concerning Modernizing ACCF Governance because of need to address liability concerns. The first part of the roll out was an explanation of why we need to modernize our governance because of liability concerns, plus a draft of the proposed Articles of Incorporation.

Meeting Agenda

- 7:00 Call to order and announcements
- 7:10 Community Energy Plan
- 7:40 Accessory Dwellings Update
- 8:10 Modernizing CivFed Governance
- 9:00 New Business
- 9:20 Adjourn

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Part two of this roll out was sent to membership via Constant Contact that included copies of our existing By-Laws, a draft “work in progress” set of a proposed new set of by-laws recommended by our attorney, Pantea Stevenson, plus a Crosswalk that details some of the differences between the two sets of By-Laws.

A key issue between the two sets of By-Laws is the need to transition to a Corporate governance model to be in compliance with the Virginia Non-Stock Corporation Act. This changes the role of the Executive Committee to a Board of Directors, which gives the Board of Directors powers that have traditionally been vested in membership. These include electing officers among themselves the officers for the organization, plus making final determination on application for membership of organizations. Our current By-Laws vests these decisions with membership.

A sub-committee of the Executive Committee, chaired by Matt Wavro, ACCF VP, is taking a deep dive into the new By-Laws and has generated a series of questions that have been submitted to Pantea Stevenson for her review and comment. Generally, the questions are in finding ways where possible for the new set of By-Laws to follow the norms of the old set of By-Laws. These questions were also circulated in our Constant Contact message.

We strongly urge delegates and alternates to review these documents for the November meeting since the last half of the meeting will be dedicated to a discussion of these By-Laws, including Q&A with Pantea Stevenson who is coming to our meeting to address any questions or concerns that delegates or alternates may have over the draft By-Laws and Articles of Incorporation.

I repeat, the draft By-Laws are still a “work in progress” and should not be considered final. The introduction of the draft set of By-Laws now means that starting in December, the new set of by-Laws can be voted on under the rules laid out in our existing By-Laws concerning amendments to the By-Laws. However, we intend to have a deliberate conversation on these By-Laws, making adjustments that are within the confines of the Virginia Non-Stock Corporation Act, until such time as membership feels we can vote to approve a new set of By-Laws and Articles of Incorporation.

The first half of our November meeting will include a presentation on progress to date on the County’s Community Energy Plan. A planned panel discussion and vote on the Community Energy Plan is being postponed until a later date at the request of the Legislative Committee. both the Legislative Committee and the Environmental Affairs Committee.

We will also have a short update on the Accessory Dwelling (AD) Unit proposal that is being considered by the County Board on Saturday, November 18th. Given the rapid nature on how this initiative has unfolded, it did not permit time to organize an in-depth presentation to the Civic federation as we would have liked.

Looking forward to December, our meeting will feature County Manager Mark Schwartz and Schools Superintendent Dr. Pat Murphy. Come prepared to pepper our guests with questions so that we can have a lively Q&A session. Through the efforts of Executive Committee member Anya Gan, we anticipate APS high school students joining us that evening to also ask both Mr. Schwartz and Dr. Murphey questions. This is another effort on our part to introduce civic participation to our youth.

I close by highlighting the ARLnow column written by Executive Committee member Nicole Merlene concerning [Civic Participation](#). ARLnow is forwarding thinking indicating that she is a member of the Board of Directors of ACCF, which will happen once we become incorporated!

Congratulations are in order because Nicole has summarized the challenges that we face in Arlington to better engage folks to participate not only in the Civic Federation but in Arlington’s civic conversation.

Best,

Duke Banks, President

The Civic Voice

Save the date – Friday evening, May 4, 2018

Our Annual Civic Federation Banquet

Holiday Inn, Rosslyn

Arlington's Growth Express - Still on track...or off the rails?

A discussion on Arlington's challenge as it transitions from a suburban environment towards a mixed urban-suburban community trying to accommodate an additional 63,000 people by 2040 when the estimated population is projected to be 283,000.

We are privileged to announce that our speakers for the evening will be:

Alan Ehrenhalt – Former Executive Editor, *Governing Magazine*, premier publication for State and Local Officials. Nationally recognized journalist on state and local government issues who brings a broad perspective of changes and challenges that American cities and towns are experiencing on how to accommodate growth. He has been a frequent contributor to *The New York Times Book Review* and op-ed page, the Washington Post Book World, *New Republic* and *The Wall Street Journal*. He is the author of four books: *The United States of Ambition*, *The Lost City*, *Democracy in the Mirror*, and *The Great Inversion*. Alan has an undergraduate degree from Brandeis University and holds an MS in journalism from Columbia. He is a long-time Arlingtonian resident living in Lyon Village.

Alan will talk about the challenges communities face as an inner suburb to a major city providing perspective of what he has seen in other jurisdictions given his over 30 years of experience observing local jurisdictions nationwide.

Peter Rousselot - He currently writes a weekly opinion column, "Peter's Take", for the Arlington news blog, ARLnow.com where several of his columns have addressed the challenges Arlington faces concerning its growth. Peter has been active in Arlington civic life since he and his family moved to Arlington in 1997. Among other positions, he has served as Chair of the Fiscal Affairs Advisory Commission, Co-Chair of the Advisory Council on Instruction, Chair of the Arlington County Democratic Committee, and member of the Central Committee of the Democratic Party of Virginia. For 28 years prior to his retirement, Peter was associated with the Washington, DC law firm now known as Hogan Lovells, where he specialized in railroad mergers, acquisitions, and valuations, was an equity partner, and a member of the firm's Executive Committee. Peter has an undergraduate degree from Yale, and a JD degree from Harvard.

Peter will follow Alan offering observations concerning specific challenges facing Arlington County based on his experience observing the Arlington scene.

These presentations are the entrée to a lively, thought-provoking conversation during our Q&A segment concerning Arlington's planned growth – is it on track or off the rails?

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September 10, 2017 Executive Committee Meeting Report

Incorporation and New Bylaws: Discussion of incorporation and new bylaws dominated the meeting. Terri recommended that the Incorporation and Bylaws Subcommittee, which would be chaired by Matt, make CivFed's lawyer, Pantea Stevenson, aware of what ExCom's major areas of concern were before she attended the November Membership Meeting. Sarah said she was concerned that Pantea's draft bylaws took power away from members and gave it to the Board of Directors. Rick Epstein moved that ExCom distribute copies of Pantea's proposed bylaws and CivFed's existing bylaws with or without a crosswalk comparison to members prior to the November meeting. Terri offered an amendment to Rick's motion stating that Pantea's proposed bylaws be accompanied with material from the exiting bylaws covering meeting dates, committees and standing rules that ExCom expected would be added to it by resolutions. Rick's amended motion was seconded and approved without exception.

November Meeting: Duke said he asked Matt Wavro to manage preparations for the November 14 membership meeting because he had family commitments through early November. Duke reported that the Environmental Affairs Committee was preparing a presentation and a panel discussion of a Community Energy Plan for Arlington followed by Q&A. Resolutions on Criminal Justice will be introduced as new business. Duke said the Criminal Justice resolutions would be referred to Legislative Committee, Schools Committee and Public Services Committee.

December Meeting: Duke reported that both the County Manager and School Superintendent had accepted CivFed's invitations to appear at the December General Meeting. ExCom decided to limit the County Manager and School Superintendent to five minutes for presentations when they appeared at the December meeting. This would give delegates and alternates more time to ask questions. Anya said that the Schools Committee was preparing questions that will be given to the Superintendent prior to the December meeting. Anya suggested that Duke request the APS Supervisor for Social Studies ask all her teachers to invite their students to attend the December Membership Meeting to see the Civic Federation in action and ask Superintendent Murphy questions. A slate of candidates for the Awards Committee would offered for approval by the membership. There will be a report and vote on the Legislative Committee's Resolutions on Criminal Justice

Status of Liability Insurance: Duke said that Hartford had rejected CivFed's application for commercial general liability insurance. Duke said he continued to look for liability insurance.

Announcement Policy: ExCom reviewed a draft announcements policy for membership meetings, the *Civic Voice*, and Constant Contact bulletins prepared by Matt Wavro. Terri Prell asked ExCom members to send their comments and corrections to Matt by email. Terri suggested that announcements be restricted to member organizations, that they had to be sent to the Federation President by an officer of the originating member organization, and they should focus on who, what, when and where and they be accompanied by a disclaimer of CivFed endorsement or affiliation.

Marketing the 2018 Banquet: Terri and Duke said that ExCom needed a plan for marketing the 2018 Banquet to potential advertisers, sponsors and contributors.

2018 Banquet Speakers: ExCom discussed adding a third person to the 2018 Banquet panel discussion to make it more balanced politically. Nicole suggested Tony Costa of GSA for the third person on the panel.

Charitable Contributions: ExCom reviewed a recommendation to increase its contribution to the Arlington Teachers Scholarship Fund made by Lois Koontz, CivFed's representative on the Board that administers the fund. The discussion broadened to cover CivFed's other charitable donations.

Fund Balance in CivFed's Savings Account: Sarah suggested that ExCom consult with the Federation's membership on the disposition of the \$19,000+ in the Federation's savings. Duke, Terri and others gave reasons why CivFed should keep this money as a reserve.

Arlington Initiative to Rethink Energy (AIRE) Community Energy Plan

The November 14 Meeting of the CivFed will review the status of the Arlington County Community Energy Program (CEP). This review will include information on how the CEP has evolved over the last five years. It will discuss where the CEP has not lived up to expectations; where the CEP has made progress, and how it could be improved through such measures as: (i) more intelligent technology such as smart IT systems, telecommuting, smart hotel rooms and offices that shut off electricity when someone leaves their office or room, (ii) smarter and more fuel-efficient transportation, (iii) new efforts to create District Energy Systems, and (iv) better incentives and financing for developers and home owners to install and use improved sustainable energy systems and better passive energy efficiency.

There will be a short presentation on the CEP by Rich Dooley who co-manages the Rethink Energy Team and tracks Arlington's Community Energy Program (CEP) implementation. After his presentation, there will be a panel discussion that includes John Seymour, Chair of the Environmental Affairs Committee, Joseph Pelton, Past member of the CEP Committee and Past Chair of the Environmental Affairs Committee, and Elenor Hodges, Executive Director of the Arlingtonians for a Clean Environment. This panel will consider ways that we might improve the CEP initiative. It will discuss whether it is possible for Arlington to achieve a higher level of renewable electricity than called for in the Community Energy Plan.

Mr. Dooley will provide those attending the meeting with a written report updating the status of CEP implementation. The report will cover six CEP goal areas and indicate how well we have progressed against each of those goals and objectives over the past 3 years.

BUILDINGS

| INITIATIVE | STATUS |
|--|--|
| Green Building Density Incentive Program | <p>The Green Building Density Incentive Program, created in 1999 for site plan development, has led to the development of over 38 LEED certified commercial, apartment, and hotel developments. Together these buildings are estimated to reduce greenhouse gas emissions by over 15,000 metric tons per year, saving building owners over \$2 million in energy costs. In addition, water use is reduced by an estimated 40 million gallons per year (estimated \$544,00 annually).</p> <p>Selection of low toxicity materials, non-smoking requirements, daylighting, and access on-site open space supports the health of Arlington's workers, residents, and visitors.</p> |

Buildings

| INITIATIVE | STATUS |
|---|--|
| Residential Energy Efficiency Rebate Programs | Home Energy Rebates have been issued to more than 570 homeowners. Rebates are offered for energy efficient HVAC units and water heater, insulation and duct sealing. Projects completed so far are estimated to reduce 1 million pounds of greenhouse gas emissions per year with an estimated annual energy savings for residents of \$119,700 (average savings is \$223 per household per year). |

| INITIATIVE | STATUS |
|--|--|
| Green Home Choice | The Green Home Choice program has certified over 300 homes. Each new GHC home uses an average of 42% less energy than code-built new homes. Each GHC renovation uses 55% less energy than pre-renovation, on average. A new Green Home Choice Kitchen and Bath certification program was launched in September 2017 to guide the selection of energy and water efficient appliances and fixtures and non-toxic finishes. |
| Commercial Property Assessed Clean Energy (C-PACE) Financing | The County is focused on launching the C-PACE program by the end of this year. The C-PACE program will offer private sector financing to commercial properties for energy and water efficiency and renewable energy improvements to new and existing buildings. The plan is to evaluate the potential for a Residential PACE program after the Commercial PACE program is fully operational. |

| INITIATIVE | STATUS |
|---|---|
| Residential PACE | Our plan is to work with PACE advocates and other statewide stakeholder groups at the appropriate time to address any questions regarding Residential PACE. There is no timeline for launching an Arlington R-PACE program. |
| Commercial Building Energy Benchmarking | Challenging, but progress underway. State officials convened a stakeholder forum on options and obstacles to allowing localities the authority to require energy benchmarking of large commercial buildings (many cities nationwide have such requirements in place). |

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Renewable Energy

| INITIATIVE | STATUS |
|---|--|
| Green Building Density Incentive Program | The Green Building Density Incentive Program, created in 1999 for site plan development, has led to the development of over 38 LEED certified commercial, apartment, and hotel developments. Together these buildings are estimated to reduce greenhouse gas emissions by over 15,000 metric tons per year, saving building owners over \$2 million in energy costs. In addition, water use is reduced by an estimated 40 million gallons per year (estimated \$544,00 annually). Selection of low toxicity materials, non-smoking requirements, daylighting, and access on-site open space supports the health of Arlington's workers, residents, and visitors. |
| Residential Energy Efficiency Rebate Programs | Home Energy Rebates have been issued to more than 570 homeowners. Rebates are offered for energy efficient HVAC units and water heater, insulation and duct sealing. Projects completed so far are estimated to reduce 1 million pounds of greenhouse gas emissions per year with an estimated annual energy savings for residents of \$119,700 (average savings is \$223 per household per year). |

COUNTY GOVERNMENT OPERATIONS

| INITIATIVE | STATUS |
|-----------------------------------|--|
| County energy efficiency projects | The County is on track to meet the Better Buildings Challenge target of 20% reduction in energy/sf across the entire County government portfolio by 2022 (County joined program in 2012). Project examples include: 1) New natural gas-fired boilers for space heating installed at Central Library over the summer, a joint project with AIRE and DES's Facilities Maintenance Bureau. This reinvestment is expected to cut energy costs by \$10,000 a year, and reduce natural gas use by up to one-third. 2) The lighting retrofit at Ballston Garage completed in 2015 and was recognized by the Virginia Energy Efficiency Council in its inaugural VAEEC Leadership in Energy Efficiency Awards event in November 2016, for documented energy improvements at a facility that serves the commercial sector. The retrofit improved lighting quality throughout the garage while saving the County 1 million kWh per year (approximately \$80,000 per year in energy and maintenance costs). |
| Community Energy Plan update | Arlington's award-winning Community Energy Plan (CEP), adopted as an element of the Comprehensive Plan in June 2013, will be five years old next summer. That ground-breaking plan was the product of over three years of study and extensive community involvement. County staff will work with consultants from now into 2018 to assess energy-related technology and market changes, to update assumptions and ensure the CEP reflects current conditions and emerging needs of the community. After that analysis, staff will discuss with community stakeholder groups a draft, updated Community Energy Plan. An updated CEP will be brought to the County Board in the second half of 2018. |

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Education and Human Behavior

| INITIATIVE | STATUS |
|-------------------------------|---|
| Energy Lending Library | <p>In partnership with Arlington Public Libraries, the Energy Lending Library offers patrons thermal cameras, and LED bulb sampler, and a selection of books on home energy efficiency. These tools are available to all Arlington residents, educating them on energy efficiency issues in their homes and directs them to County programs to help improve energy efficiency.</p> <p>This award-winning program has been emulated by other jurisdictions in the region and around the country.</p> |
| Residential Outreach Campaign | <p>AIRE promotes its energy efficiency programs through a variety of creative means: monthly newsletter, ARLNow blog, presence at community and faith-based events, Energy Scavenger Hunts, Green Games, Energy Journey, Rethink Energy podcast series, Passive House video series, training for builders and developers, and the Energy Lending Library. Thousands of residents receive AIRE's energy efficiency message each month.</p> |

District Energy

| INITIATIVE | STATUS |
|---|---|
| <p>Integrated Energy Master Plans</p> <p>District Energy implementation</p> | <p>The Crystal City/Pentagon City and the Courthouse Square Integrated Energy Master Plans (IEMPs) have been completed. Based on the results from these in-depth feasibility studies, staff do not recommend moving forward with district energy implementation in either study area at this time. This recommendation reflects the modest economic savings offered by a district energy system in either study area compared to business-as-usual. However, staff do recommend that a district energy system should be re-evaluated when the County redevelops Court Square West, due to the rapid and ongoing changes that are occurring in the utility industry.</p> |

Transportation

| INITIATIVE | STATUS |
|---|--|
| Master Transportation Plan implementation | <p>Based on our research and analysis from 2016, we have reduced 91,800 tons of CO₂ from the air by people using transit, walking, biking and teleworking instead of driving.</p> <p>85% of the County-owned streetlights have been converted to LED (which last five times longer than high-pressure sodium bulbs and are 75% more efficient)</p> <p>Increased Capital Bikeshare stations from 81 in FY15 to more than 100 in FY18</p> <p>Arlington Transit provided more than 3.4 million rides over the past year.</p> |

A major change to single-family zoning is headed to the County Board

On November 18, the Arlington County Board will vote on proposed Zoning Ordinance revisions designed to increase the number of Accessory Dwellings in Arlington.

Why Accessory Dwellings?

In 2008, the County Board approved changes to the Zoning Ordinance that enabled single-family property owners to add an Accessory Dwelling (“AD”). Since then, only 20 new ADs have been built.

In July 2015, the Affordable Housing Master Plan was adopted. It included a goal of increasing ADs. So, over the past two years, staff has worked with a variety of committees and commissions to increase ADs without changing the character of residential neighborhoods.

Their recommendations expand by-right options for ADs in single-family detached homes and townhouses with R-20, R-10, R-10T, R-8, R-6, R-5, R15-30T, or R2-7 zoning. As in 2008, there is no use permit requirement and no requirement that an AD meet an affordability standard. However, there is a presumption that ADs will provide a wider mix of housing options needed in Arlington.

Recommendations include:

- Allowing accessory dwellings in detached accessory buildings (like garages).
- Increasing maximum AD occupancy from two to three persons.
- Increasing the maximum AD square footage from 750 sq. ft. to 1,000 sq. ft. when an AD is wholly within a basement.
- Removing the minimum lot width and lot area requirements.

See our summary of Current AD Regulations & Proposed Changes on pages 7 through 10 of this newsletter.

Questions & Comments may be sent to:

- Staff Contact Joel Franklin 703 228-7949 or jeffranklin@arlingtonva.us.
- The County Board at 703 228-3130 or countyboard@arlingtonva.us.

Current AD Regulations & Proposed Changes

This document provides a summary of WHAT is being proposed as of 10/15/17. For details about WHY changes are recommended, see the AD Web page: <https://housing.arlingtonva.us/plans-reports/accessory-dwelling-ordinance-update/>

1. Lot Area and Lot Width

| Current Regulation | Proposed Change |
|---|--|
| Lot must meet minimum area requirements of district | Accessory dwelling allowed on lots that do not meet the minimum area requirement for the subject district |
| 50-foot minimum lot width required | Accessory dwelling allowed on lots that do not meet the minimum lot width requirement for the subject district |

2. Maximum Size

| Type | Current Regulation | Proposed Change |
|-------------|--|---|
| Attached AD | 1/3 of combined GFA up to maximum of 750 sq. ft. | Maximum of 35% of the combined floor area of the main and accessory dwelling, up to maximum of 1,000 sq. ft. (in basement) Maximum of 35% of the combined floor area of the main and accessory dwelling, up to maximum of 750 sq. ft. (when any portion of the accessory dwelling is above basement) |
| Detached AD | Not allowed | Maximum of 35% of the combined floor area of the main and accessory dwelling, up to maximum of 750 sq. ft. |

3. Detached Accessory Dwellings [See Note 1 on page 12]

| | | |
|--------------------------------------|--|---|
| Maximum accessory building height | Smaller of: 1 ½ stories 25 feet | |
| Placement | Rear setback | Corner: 10' from lot line Interior: 1" from lot line |
| | Side setback | Corner: 1' from interior lot line |
| | Other (front or street setback) | Corner: 25' from any street |
| | Setback from main dwelling | Interior and corner lots: 8' |
| Maximum accessory building footprint | R-5 and R-6 districts: 560 sf All other R districts | |

4. Design

| Current Regulations | Proposed Change |
|---|--|
| AD on a corner lot cannot have entrance visible from street | Remove requirement |
| Entrance to AD may not be on same side of house as main entrance to main dwelling | Main entrance and AD entrance may be on same side of house, as long as not facing same direction |
| AD with an entrance above the first floor cannot have exterior stairs visible from the street | Exterior stairs to a second story AD cannot be on the same side of house that faces a street |

5. Occupancy

| Current Regulations | Proposed Change |
|---|--|
| Maximum occupancy = 2 persons | Maximum occupancy = 3 persons |
| Owner occupancy required | No change |
| Owner must live in house for a year before AD approval | No minimum time required prior to creating an AD |
| No home occupations for contractors or service businesses allowed | Remove restriction on home occupations |

6. Compliance [See Note 2 on page 12]

| Current Regulations | Proposed Change |
|--|--|
| AD recorded on deed covenant | Require deed covenant |
| Affidavit of compliance is required at initial occupancy and whenever new tenants move in | Affidavit of compliance required at initial occupancy only, for each new owner or when structural changes are made to the AD |
| Owner agrees to cooperate with Code Enforcement staff for annual inspections and for complaints. | No change |
| Annual limit of 28 accessory dwellings | Remove limit |

7. Short-Term Residential Rental (AKA “Accessory Homestay”)

| Current Regulations | Proposed Change |
|--|--|
| Accessory homestay is allowed in an attached accessory dwelling | No change |
| Accessory homestay is not allowed in a detached accessory building | Allowed in a detached accessory building only when it is approved as an accessory dwelling |

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8. Parking

| Current Regulations | Proposed Change |
|---|--------------------|
| One existing parking space must be maintained Two existing parking spaces must be maintained | No change |
| If no existing parking spaces: Create one on-site space; or Conduct parking survey (no parking requirement if block is <65% parked) | No change |
| If two or more spaces that are not tandem, then at least two such spaces shall be maintained | Remove requirement |

9. Family/Caregiver Suites

| Current Regulations | Proposed Change |
|---|-------------------------|
| Not more than two rooms plus a bathroom and efficiency kitchen | No change |
| Occupied by up to 2 persons related by blood, marriage, adoption or foster care or providing on-site care | No change |
| Must have interior access to the rest of the dwelling | No change |
| Maximum size of 500 sf. | Maximum size of 750 sf. |

NOTES:

Note 1. An accessory dwelling has to meet all the Virginia Uniform Statewide Building Code (Building Code) requirements of an independent dwelling. The Building Code requires that the accessory dwelling have a separate entrance, a separate ventilation system from the main dwelling, and access to all electrical panels. It requires a **minimum ceiling height of seven feet**, emergency egress from each sleeping area, and **fire-resistance** rated construction between the accessory dwelling and the main dwelling.

Zoning and Building Code regulations differ in several ways:

Ceiling height. The Building Code allows a basement ceiling height of 6'8" in older homes. Zoning has a policy for existing basements that allows for the renovation or finishing of the basement if it is 6'8" or greater. The policy applies to projects that are one-family dwellings and townhouses not more than three stories above grade plane. However, that does not apply for accessory dwellings.

Fire separation requirements from table R302.1(1) in the Virginia Residential Code. Zoning's specified setbacks for a detached AD are also subject to the Building Code. While the Virginia Residential Code does not have a set back requirement, it does require the AD to provide the fire-rating if it is less than 5'-0" from the property line. All dimensions are measured perpendicular to the structure.

5'-0" or greater distance from the property or another structure does not require any type of fire separation and can have any number of openings, such as windows or doors

3'-0" to less than 5'-0" requires the wall to be fire rated and allows for limited openings (maximum of 25% of the wall area)

Less than 3'-0" the wall to be fire rated and no openings are permitted

1" water line. If the property as a whole, including any ADs, has a total of "more than" 3 bathrooms (counted by number of toilets), an upgrade to ¾" water meter and 1" service is required.

Note 2. Potential Mortgage and Financial Considerations. An AD is a second dwelling on a single-family property, which unlike a duplex or semi-detached home, cannot be separately owned. An issue has been raised about the impact of the deed covenant on existing or new mortgage and financing arrangements.

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Treasurer's Report Sarah Shortall

Thank you to the following membership organizations for paying their 2017-2018 ACCF membership fee.

| | |
|-------------------------------------|---------------------------|
| Alcova Heights CA | Glebe Wood CA |
| American Assn. of University Women | Glencarlyn CA |
| Arlington Education Association | Gulf Branch CA |
| Arlington Gay and Lesbian Alliance | League of Women Voters |
| Arlington Heights CA | Leeway Overlee CA |
| Arlington Mill CA | Long Branch Creek CA |
| Arlington Ridge CA | Lyon Park CA |
| Arlington View Civic Association | Madison Manor CA |
| Ashton Heights CA | Maywood CA |
| Barcroft School and Civic League | NARFE |
| Boulevard Manor CA | Nauck CA |
| Buckingham CA | North Highland CA |
| Chain Bridge Forest CA | North Rosslyn |
| Cherrydale CA | Old Dominion CA |
| Civic Coalition on Minority Affairs | Old Glebe CA |
| Clarendon Courthouse CA | Penrose CA |
| Colonial Village HOA I | The Radnor/Ft. Meyer CA |
| Colonial Village HOA II | Rock Springs CA |
| Colonial Village HOA III | Spout Run HOA |
| Columbia Forest CA | Tara-Leeway Heights CA |
| Crystal City CA | Waverly Hills CA |
| Douglas Park CA | Waycroft-Woodlawn CA |
| Dover Crystal City CA | Williamsburg CA |
| Fairlington Citizens Association | Women's Club of Arlington |
| Forest Glenn CA | Yorktown CA |

The member organizations listed below have not paid their 2017-2018 ACCF membership fee as of 11/1/2017.

| | |
|---------------------------------------|-------------------------------------|
| Alliance for Housing Solutions | Donaldson Run CA |
| Arlington Coalition of Police | Frederick Courts Condo Association |
| Arlington County Taxpayer Association | Friends of Arlington Parks |
| Arlington-East Falls Church CA | Highland Park – Overlee Knolls CA |
| Arlington Forest CA | Hyde Park Condo Association |
| Arlingwood Neighborhood Association | Opera NOVA |
| Aurora Highlands CA | Organized Women Voters of Arlington |
| Ballston-Virginia Square CA | Rivercrest CA |
| Black Oak Cluster CA | Shirlington CA |
| Buyers and Renters Arlington Voice | Westover Village CA |
| Cathcart Springs HOA | Westwind HOA |
| Center for Urban Education | Woodmont CA |
| Claremont CA | |

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ACCF Treasurer's Report October 1 – 31, 2017

Checking

| | | |
|---------------------------|-----------|-------------|
| Beginning Balance 10/1/17 | | \$ 7,668.14 |
| Deposits -Dues | | \$ 691.25 |
| Checks | \$ 250.00 | |
| PayPal | \$ 48.25* | |
| Expenses/Payments | | \$ 828.00 |
| Insurance | \$ 828.00 | |
| End Balance 10/31/17 | | \$ 7,138.39 |

Savings

| | | |
|---------------------------|--|--------------|
| Beginning Balance 10/1/17 | | \$ 19,227.69 |
| Deposits | | .00 |
| Interest | | .00 |
| Expenses/Payments | | .00 |
| End Balance 10/31/17 | | \$ 19,227.69 |

* - PayPal charges a fee of \$1.75 for every \$50 electronic dues payment

Membership Fees can be paid in person at Civic Federation Membership Meetings with a check made out to:

Arlington County Civic Federation

Checks can also be mailed to the Civic Federation at

PO Box 42091 Arlington, VA 22204.

The Civic Federation accepts PayPal at <http://www.civfed.org/pay-dues/>

The Civic Voice

2017-2018 Officers and Executive Committee Members

President Duke Banks
Vice President Matt Wavro
Secretary Dennis Gerrity
Treasurer Sarah Shortall

Executive Committee Chair Terri Prell
Executive Committee Vice Chair Rick Epstein
Executive Committee Member Eric Berkey
Executive Committee Member Anya Gann
Executive Committee Member Nicole Merlene

2017-2018 General Meetings

November 14 General Meeting

7:00 Call to order and announcements
7:10 Community Energy Plan (CEP)

- Presentation by Rich Dooley
- Panel Discussion on CEP

7:40 Update on Accessory Dwellings
8:10 Modification of CivFed Governance
Q&A with Pantea Stevenson
9:00 New Business

- Introduce Criminal Justice Resolution
- Introduce Driver's License Suspension Resolution

9:10 Adjourn

December 5 General Meeting:

Awards Committee
County Manager and School Superintendent
Two Legislative Committee Resolutions

January 2, 2018 General Meeting (tentative):

County Board

February 6 General Meeting (tentative):

TBD

March 6 General Meeting (tentative):

School Board

April 3 General Meeting (tentative):

Nominating Committee

May 1 General Meeting (tentative):

TBD

June 5 General Meeting (tentative):

Legislative Panel
Election of Officers and ExCom members

2017-2018 Executive Committee Meetings

November 19, 2017
December 10, 2017
January 7, 2018
February 11, 2018
March 11, 2018

April 8, 2018
May 6, 2018
June 10, 2018
July 9, 2018

Executive Committee Meetings are held at Fire Station #2, 4805 Wilson Boulevard. They begin at 6:30 PM.

The Civic Voice

Why Civic Federation Committees Matter and What They Can Do for You

Have you ever been surprised to discover that something in your neighborhood is changing? Maybe a new high-rise is going up around the corner, or perhaps school boundaries have changed. It could be your tax bill is going up, or a new County ordinance now affects your business. Time and time again, folks come to the Federation only after the change is well under way. By then, it's often too late to make a difference.

The Federation's committees serve to keep such surprises at bay by educating, involving and empowering our member organizations. Committees educate by hosting speakers from County staff, holding programs, disseminating information, and fostering discussion. Committees involve our members by providing opportunities to participate in local and regional commissions and organizations. Committees empower by recommending resolutions to the Federation, which, in turn, can publicize these positions in the community and with our elected officials.

We strongly encourage every delegate and alternate to serve on at least one committee. If you have an interest in any topic, please contact the chair. If a chair is not listed, contact our President Duke Banks at duke@civfed.org

| Committee | Chair | Email Address |
|---------------------------|--|--|
| Executive | Terri Prell | terri@civfed.org |
| Awards | Elected at the December 2017 General Meeting | |
| Audit | Jay Wind | jay@civfed.org |
| Bylaws | Sarah Shortall | sarah@civfed.org |
| Community Relations | Nicole Merlene | Nicole@civfed.org |
| Cultural Affairs | Chair needed | TBD |
| Emergency Preparedness | Jackie Snelling (POC) | jackie@civfed.org |
| Environmental Affairs | John Seymour | john@civfed.org |
| Housing | Eric Brescia | ericbrescia@civfed.org |
| Legislation | Ron Haddox | ron@civfed.org |
| Membership | Stefanie Pryor | membership@civfed.org |
| 911 Scholarships | Stefanie Pryor (POC) | Stefanie@civfed.org |
| Nominating | Elected at the April 2018 General Meeting | |
| Parks and Recreation | Michael Thomas | michaelthomas@civfed.org |
| Planning and Zoning | Martha Moore | martha@civfed.org |
| Public Services | Jackie Snelling (POC) | jackie@civfed.org |
| Revenues and Expenditures | Burt Bostwick (POC) | burt@civfed.org |
| Schools | Michael Beer | michaelbeer@civfed.org |
| Special Events | Joe Pelton | Joepelton@civfed.org |
| Transportation | Jerry Auten | jerry@civfed.org |

ARLINGTON COUNTY CIVIC FEDERATION RESOLUTION ON VIRGINIA GROUNDS FOR DRIVER'S LICENSE SUSPENSION

EXECUTIVE SUMMARY

PROCEDURAL HISTORY

This resolution of the Legislative Committee was passed unanimously, pending amendments, on September 26, 2017. Upon circulation of the resolution with amendments, these were accepted without objection. Voting members of the legislative committee were: John Seymour, Ronald Haddox, Takis Karantonis, Juliet Hiznay, Donald Gurney, and John Bloom.

BACKGROUND

Under Virginia Code § 46.2-395, the grounds for driver's license suspensions has steadily grown over the years. There are very many instances in which a driver's license can be suspended under state law without any relationship to the competency of a driver or to driving conduct. It is now linked to the payment of court costs, forfeitures, restitution and penalties for violations of local, state or federal law, both civil and criminal.

Many areas of the state have inadequate or limited public transportation systems, which means that loss of a driver's license can result in job loss. Most individuals, families and small businesses require the use of automobiles in order to carry out daily tasks.

Efforts to address the negative impact of this law on those who are unable to pay have been very limited in scope. Driving is treated legally as a privilege, when in fact it is most often a necessity. For this reason, even those who are convicted of driving under the influence of alcohol can request a judicial order permitting them to drive to and from work, if they meet conditions.

The suspension of a driver's license for non-driving behavior is coercive, limits options for obtaining and keeping employment, and bears no relationship to public safety.

For these reasons, the legislative committee of the ACCF unanimously voted in favor of the following resolution regarding reform of state law as to driver's license suspension.

ACCF RESOLUTION REGARDING VIRGINIA GROUNDS FOR DRIVER'S LICENSE SUSPENSION

WHEREAS, Virginia Code § 46.2-395 provides for automatic driver's license suspension for failure to pay lawful fines, court costs, forfeitures, restitution, and penalties assessed against a person for violations of the laws of the Commonwealth; of any county, city, or town; or of the United States;¹

WHEREAS, a driver's license is necessary for most residents in order to work and carry out the tasks of daily life; and

WHEREAS, the provisions of Virginia Code § 46.2-395 disproportionately burden those living in poverty, those with low income and those with no income as a result of disability or unemployment,

NOW THEREFORE, THE ARLINGTON COUNTY CIVIC FEDERATION recommends the following state legislative changes be made:

Repeal all provisions of state law that suspend or revoke a driver's license that have no relationship to driving offenses or competency to drive an automobile.

¹<https://law.lis.virginia.gov/vacode/title46.2/chapter3/section46.2-395/>

ARLINGTON CIVIC COUNTY FEDERATION RESOLUTION ON CRIMINAL JUSTICE REFORM EXECUTIVE SUMMARY

PROCEDURAL HISTORY

This resolution of the Legislative Committee was passed unanimously, pending amendments, on September 26, 2017. Upon circulation of the resolution with amendments, these were accepted without objection. Voting members of the legislative committee were: John Seymour, Ronald Haddox, Takis Karantonis, Juliet Hiznay, Donald Gurney, and John Bloom.

BACKGROUND

Incarceration rates in the United States outpace any other country in the world, both in absolute terms and by percentage.¹ At the same time, research has shown that a criminal record is a significant obstacle to finding gainful employment.²

Virginia is no exception. According to the National Institute of Corrections, the Virginia incarceration rate (2015) exceeded the national average by 19% at 457 individuals per 100,000 adults.³ Virginia has the 8th highest jail incarceration rate in the United States, holding 1 in every 214 adult Virginians.⁴ Racial disparities in arrest and sentencing in the United States and Virginia are well documented.⁵

According to the Virginia Department of Juvenile Justice, 6.6% of state charges brought against minors in 2016 were brought against children between 8 and 12 years of age.⁶ Virginia has the lowest felony larceny threshold in the nation. This means that children who steal items such as mobile phones, athletic shoes, or winter coats, which frequently cost \$200 or more, can carry a felony record for life.

A number of factors have made it particularly difficult for Virginia youth to recover from court involvement. Virginia has been identified as number one in the nation in referrals of school children to law enforcement.⁷ Zero tolerance policies implemented through the code of conduct in the public schools have driven court involvement. Children age 14 and older can be tried as adults. Virginia youth are unable to expunge any record of an offense that would be a felony if charged as an adult.

¹<https://www.hrw.org/world-report/2016/country-chapters/united-states>; http://www.prisonstudies.org/highest-to-lowest/prison-population-total?field_region_taxonomy_tid=All;

<http://www.prisonstudies.org/country/united-states-america>

²http://thecrimereport.s3.amazonaws.com/2/fb/e/2362/criminal_stigma_race_crime_and_unemployment.pdf

³<https://nicic.gov/statestats/?st=va>

⁴http://www.justicepolicy.org/uploads/justicepolicy/documents/va_justice_system_expensive_ineffective_and_unfair_final.pdf

⁵<http://sentencingproject.org/wp-content/uploads/2015/12/Race-and-Justice-Shadow-Report-ICCPR.pdf>

<http://www.sentencingproject.org/publications/color-of-justice-racial-and-ethnic-disparity-in-state-prisons/>

⁶http://www.djj.virginia.gov/pdf/about-djj/DRG/FY16_DRG.pdf

⁷<https://www.publicintegrity.org/2015/04/10/17089/virginia-tops-nation-sending-students-cops-courts-where-does-your-state-rank>

In addition, typical youthful behavior has been criminalized under a specific provision of the Virginia disorderly conduct statute that applies only in school or during school activities. The statute does not require intoxication in order to apply. Also, unlike other sections of the statute, Subsection C of Virginia Code Section 18.2-415 strips out the requirement that the behavior have “a direct tendency to cause acts of violence by the person or persons at whom, individually, the disruption is directed.” Instead, Subsection C permits a criminal case to proceed where the behavior merely “disrupts” the operation of the school. This could be an act as simple as interrupting a teacher, tapping a pencil, pacing in the classroom or the distracting use of fidgets or school materials. Even children whose dysregulated behaviors are related to their disability have been prosecuted under this code section. These types of behaviors can be effectively addressed through school services or through school discipline and should not be treated as criminal in nature.

Due to the extreme punitive nature of the targeted provisions of Virginia law, the difficulty in finding gainful employment for those who turn their lives around, the disparate impact on those living in poverty and the working poor, as well as the high risk of permanent loss of civil rights for those charged with felonies, the legislative committee of the ACCF unanimously voted in favor of the following resolution regarding criminal justice reform in Virginia.

ACCF RESOLUTION FOR CRIMINAL JUSTICE REFORM

WHEREAS, the threshold amount for felony larceny and related offenses in Virginia is \$200, and has not been raised since 1980;⁸

WHEREAS, Virginia and New Jersey have the lowest felony larceny threshold in the nation (FN8);

WHEREAS, the penalty for grand larceny and related offenses is punishable by confinement in a state correctional facility for not less than one year and not more than twenty years (Va. Code §18.2-95(ii); Va. Code §18.2-10);⁹

WHEREAS, adults and children age 14 years or older tried as an adult for grand larceny face a minimum sentence of one year’s confinement in a state correctional facility, and a maximum sentence of twenty years under Virginia law, for theft of such items as a mobile telephones, eye glasses, footwear or outerwear (FN9);

WHEREAS, the penalty for petit larceny and related offenses is punishable by confinement in jail of up to 12 months and a fine of not more than \$2500, either or both (Va. Code § 18.2-11);¹⁰

WHEREAS, when children under the age of 18 are adjudicated delinquent for offenses that would be felonies if carried out by an adult, they continue to have a criminal record that is considered for future sentencing. (Margaret A. Nelson, *Marked for Life, Virginia Lawyer, Vol. 57 pp 30-32 (December 2008)*;¹¹ Va. Code § 16.1-306;¹² Va. Code § 16.1-269.1);¹³

⁸<https://www.dcjs.virginia.gov/sites/dcjs.virginia.gov/files/publications/dcjs/virginia-felony-larceny-threshold-35-years-later.pdf>

⁹<https://law.lis.virginia.gov/vacode/title18.2/chapter5/section18.2-95/>; <https://law.lis.virginia.gov/vacode/title18.2/chapter1/section18.2-10/>

¹⁰<https://law.lis.virginia.gov/vacode/title18.2/chapter1/section18.2-11/>

¹¹http://www.vsb.org/docs/valawvermagazine/vl1208_juv-adjudications.pdf

¹²<https://law.lis.virginia.gov/vacode/title16.1/chapter11/section16.1-306/>

¹³<https://law.lis.virginia.gov/vacode/title16.1/chapter11/section16.1-269.1/>

The Civic Voice

WHEREAS, children age 14 or older who are charged and convicted as adults lose all the same rights as adults, including the right to vote in Virginia for life, unless those rights are restored by the Governor. (FN11; FN13; Constitution of Virginia, Article 2, § 1;¹⁴ Va. Code § 16.1-271);¹⁵

Whereas, children age 11 or older can be committed to juvenile detention if previously adjudicated delinquent for offenses that would be felonies if carried out by an adult (Va. Code § 16.1-278.8);¹⁶

WHEREAS, children age 14 years or older, when adjudicated delinquent for offenses that would be felonies if carried out by an adult, cannot obtain a firearm until age twenty-nine (29) (Va. Code § 18.2-308.2);¹⁷

WHEREAS, under its disorderly conduct statute, Virginia criminalizes the behavior of students at school (age 8 and older) that is not defined as criminal for adults in the community (Va. Code § 18.2-415(C));¹⁸

WHEREAS, juvenile adjudications for offenses that would be felonies if carried out by an adult are included as prior felony convictions under state and federal sentencing guidelines (FN11; Va. Code § 19.2-295.1);

WHEREAS, juvenile adjudication for drug-related offenses affect eligibility for federal student financial assistance (FN11);

WHEREAS, the loss of the right to bear arms due to an adjudication can exclude young adults from military service (FN11);

NOW THEREFORE, THE ARLINGTON COUNTY CIVIC FEDERATION recommends the following state legislative changes be made:

1. Raise the minimum threshold for felony larceny and all theft related felony offenses to \$1000.
2. Revise subsection C of Virginia Code § 18.2-415 (Disorderly Conduct, which is punishable by up to 1 year in jail and/or up to a \$2500 fine) (FN18), as marked below:
 - C. Willfully or while intoxicated, whether willfully or not, and whether such intoxication results from self-administered alcohol or other drug of whatever nature, disrupts the operation of any school or any activity conducted or sponsored by any school, if the disruption ~~(i) prevents or interferes with the orderly conduct of the operation or activity or (ii)~~ has a direct tendency to cause acts of violence by the person or persons at whom, individually, the disruption is directed.
3. Provide a legal means for individuals charged with offenses when under 18 years of age to expunge their records once they reach majority age.

¹⁴[https://law.lis.virginia.gov/constitution/article2/section1/;](https://law.lis.virginia.gov/constitution/article2/section1/)

¹⁵<https://law.lis.virginia.gov/vacode/title16.1/chapter11/section16.1-271/>

¹⁶<https://law.lis.virginia.gov/vacode/title16.1/chapter11/section16.1-278.8/>

¹⁷<https://law.lis.virginia.gov/vacode/title18.2/chapter5/section18.2-308.2;>

¹⁸<https://law.lis.virginia.gov/vacode/title18.2/chapter9/section18.2-415/>

The Civic Voice

Announcements

Arlington's FY2019 Budget: If you missed the County's October Budget Roundtables, you can still have your say on the FY2019 Budget by using the County's [Engage Arlington](#) web page through November 22.

NCAC: The Neighborhood Conservation Advisory will meet from 7:30 pm to 9:30 pm on November 9 in the Navy League Building at 2300 Wilson Blvd. For information about this meeting here is a link to the NCAC [website](#).

Planning Commission: The Planning Commission will be considering the Off-Street Parking Policy/Guidelines for Multi-Family Residential Projects at their Monday, November 13th carry-over hearing.

Commonwealth Coordinated Care Plus: An Arlington County Commonwealth Coordinated Care Plus (CCC+) Town Hall Meeting will be held at Central Library Auditorium on Monday, November 13 from 10:30 a.m. to 12:30 p.m.

4MRV Working Group: A meeting will be held from 7:00 pm to 10:00 pm on November 15 at the Park and Natural Resources Operations Building, 2700 S. Taylor Street

JFAC: The Joint Facilities Advisory Commission will meet from 7:00 pm to 9:00 pm on November 15 in the Navy League Building at 2300 Wilson Blvd. For information about this meeting here is a link to the JFAC [website](#).

Arlington County Board: The County Board's November meeting will be held on Saturday, November 18th starting 8:30 a.m. Click here for this meeting's [agenda](#) a few days before November 18. The Board Recessed Meeting will be held on Tuesday, November 27, starting at 6:30 p.m. There will be a second November Board Recessed Meeting held on Wednesday, November 28, starting at 3:00 p.m. All three meetings will be held in the County Board Room at 2100 Clarendon Blvd.

November Executive Committee Meeting: The CivFed November Executive Committee Meeting will be held from 6:30 to 8:30 on Sunday, November 19, in the community room of Fire Station 2 located at 4805 Wilson Blvd. Delegates and alternates are welcome to attend.

December Newsletter: The deadline for December newsletter articles is Thursday, November 23. Newsletters are published approximately 1 week before the meeting.

Updating the 2005 Public Spaces Master Plan: A POPS ([A Plan for Our Places and Spaces](#)) meeting, which is designed for the public to provide input on updating the 2005 Public Spaces Master Plan, will be held from 11:00 am to 1:00 pm on Friday, December 1, at Courthouse Plaza. There will another POPS meeting from 6:30 to 8:30 pm on Wednesday, December 6, in the Navy League Building at 2300 Wilson Blvd. and a third POPS meeting from 6:30 to 8:30 pm on Thursday, December 14, at the Central Library at 1015 N Quincy St.

PAC: The Pedestrian Advisory Committee will meet from 7:00 pm to 9:00 pm on December 13 in the Chery/Dogwood Rooms in 2100 Clarendon Blvd. For more information about this meeting go to the PAC

Parking at the Virginia Hospital Center

Remember to park in the **B/Gold** Garage. On Civic Federation meeting nights, the gates of the **B/Gold** Parking Garage, will be open, and there will be no charge for parking there. The **B/Gold** Parking Garage is located under the 1635 Medical Office Building. If you use another lot, you will have to pay the regular rate to exit.

