



March 10, 2014

Arlington County Board
#1 Courthouse Plaza, Suite 300
2100 Clarendon Boulevard
Arlington, VA 22201

Subject: *Civic Federation Resolution on Noise Control Code Revisions
Agenda Item 28, March 18, 2014 County Board Meeting*

Dear Chairman Fisetto:

At our March 4, 2014 general meeting, the Arlington County Civic Federation (ACCF) unanimously approved the attached resolution, which requests one additional change to the current staff revision of the Noise Control Code. Our proposed change removes the wording *in any "R" District* from section 15-6.G and asks that the restriction be applicable to any site with a residential use. We also want to ensure that the RTA language is broad enough to enable Staff and Board consideration of the change, which is more restrictive than the proposed revision.

The ACCF Planning and Zoning Committee began identifying potential revisions to the current Noise Control Code nearly five years ago and have worked directly with staff over the past two years. Those efforts and the issues that were raised are summarized in a report presented to the ACCF membership at its February 4, 2014 meeting. (See <http://www.civfed.org/wp-content/uploads/2014/01/PZ-Noise-Control-Report-01.21.14.pdf>.)

We would like to express our appreciation for the time and effort that staff gave to working with us on this important section of the Arlington County Code, which significantly affects quality of life in Arlington.

As always, we appreciate the Board's consideration of our views, resolutions, and positions. Please feel free to contact me via telephone at 571.213.4827, or via email at mike@civfed.org, if you should require additional information on the resolution.

Sincerely,



Michael McMenemy
President, Arlington County Civic Federation

cc: Barbara Donnellan, County Manager
Bob Brosnan, Director CPHD
Shahriar Amiri, Building Official, CPHD
Gary Greene, Code Enforcement, CPHD

**A Motion for the Arlington County Civic Federation (ACCF)
Passed Unanimously at the March 4, 2014 ACCF Meeting**
Resolution Regarding Proposed Changes to
Chapter 15. Noise Control of the Arlington County Code

WHEREAS in April 2009, the Virginia Supreme Court nullified an important tool for controlling noise — use of a “reasonable person” standard for defining noise disturbances; and

WHEREAS the ACCF Planning & Zoning Committee has worked with Arlington County staff to identify current noise problems and potential solutions; and

WHEREAS Arlington County staff is in the final stages of revising Arlington's Noise Control Code and a Request to Advertise a revised code is on the County Board's March meeting agenda; and

WHEREAS at the February 4, 2014 general meeting of the ACCF:

- The Planning & Zoning Committee prepared a lengthy report that described resolved and unresolved noise control issues as of January 2014; and
- Staff presented a summary of the Noise Control Code revisions and participated in a Q&A with Planning & Zoning Committee Co-Chairs and other ACCF delegates; and

WHEREAS although subsequent communications with staff have addressed several concerns raised in the January 2014 Planning & Zoning report, one major concern that affects many people who reside in Arlington is still unresolved:

A much-needed new protection in section 15-6.G states, “It shall be unlawful for any person in a group of four or more persons to engage, during the Nighttime, in yelling, wailing, shouting, or screaming above the level of conversation such that the yelling, wailing, shouting or screaming is heard in any “R” District....”

The Arlington County Zoning Ordinance defines “R” zoning districts as properties zoned R-20, R-10, R-10T, R-8, R-6, R-5, R15-30T, or R2-7. Residents of properties with residential uses in other zoning districts, such as RA apartment districts and Commercial/Mixed Use districts, have been excluded.

THEREFORE BE IT RESOLVED that the Arlington County Civic Federation asks the County Board to remove the wording **in any “R” District** in section 15-6.G and replace it with language that encompasses all residential uses.