

October 10, 2023

Shrinking Public Inputs on Important Public Policy Issues Case Study - Plan Langston Boulevard Request to Advertise New Vision for Major Corridor Redevelopment, July-October 2023

The Planning Commission (PC) is statutorily required to provide advice on major and minor development changes in Arlington and plays an essential in the planning and growth of our community. Its decisions, while not prescriptive, give important shape, nuance and direction for future consequential policy. Its votes are second only to the Board's in terms of policy consequence. The independent commissions, while not voting formally, also weigh in on site plans and other major changes to land use and density and are also an important part of this process to ensure that full public and informed community inputs will shape outcomes. They provide advisory opinions in the form of letters to the Board, and they often testify to the Board and the Planning Commission. The County Board also has an obligation to ensure that materials for its own meetings are easily accessible and in timely fashion. It is essential for these processes to remain transparent, accessible and well understood by the public to guarantee their legitimacy.

The process leading up to the Planning Commission vote on Plan Langston Boulevard has eroded the credibility of this process, to the extent that it alone should render void the PC vote on the Request to Advertise a new "vision" for Langston. It should also be grounds to cancel the county board vote on the RTA October 14 - postponing any decisions until these process problems are addressed. More broadly there are six recent major problems/changes that have limited public understanding of the plan (and in some cases, other County Board agenda items for October 14.) They all appear to be intended to sway the outcomes toward those favored by staff or to rush a process for lame-duck board members. Such measures erode public trust and undermines best democratic practices.

1. Commission Views Based on an Incorrect Version of RTA. All of the commissions who advised the Board on the RTA worked off a June 2023 version of the vision of the plan, NOT the final RTA package, which wasn't released until September 28, 2023. See the screenshot (Image 1) below of the Housing Commission briefing on September 14, 2023, showing that staff was briefing the commission using the *June 2023 version* of PLB, NOT THE FINAL package dated September 28, 2023—because of course the RTA package wasn't ready on September 14. **If the RTA package isn't ready for commission review, then it is not ready for the Board or PC to consider.** Please amend the process to ensure that all commissions have up-to-date staff

briefings before the Board and PC take up the matter, so that they and the public (who attends these meetings) are reviewing the same plan that will be voted on. In the case of the PC's October 2 PLB vote, neither the commissions nor members of the public had the relevant package. This alone should render the process invalid.

Image 1



1a. **1,300 Changes Not Summarized for the Public.** As a subset of the problems with giving commissions and the public disparate versions of the RTA package, ASF identified over 1,300 changes by comparing the two documents (June vs. Sept.). June was 190 pages; Sept. was 209 (not including a 47-page staff report). Given the extremely short timeframe ASF suggests in future you:

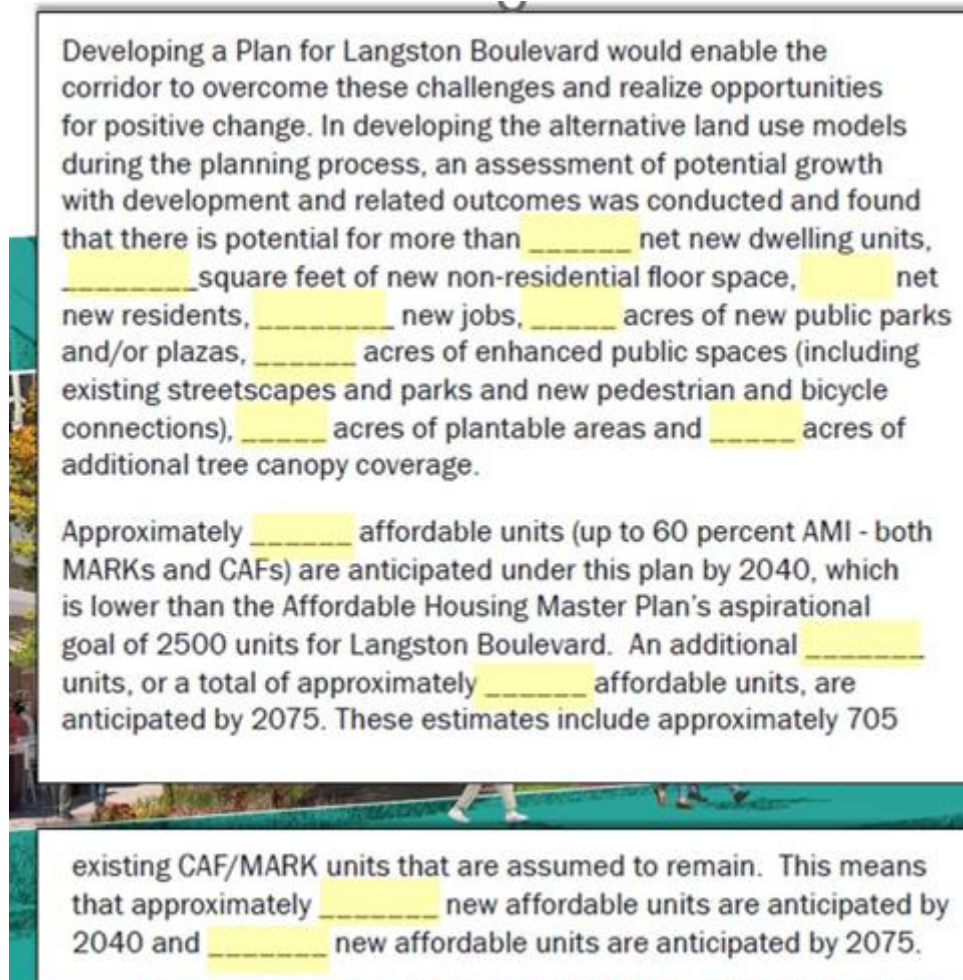
(a) **post all relevant documents online at least one week before any public meeting at which a vote will be taken, especially for documents longer than 25 pages;** and

(b) **require staff to identify the page numbers where text has changed and the substance of changes from one version of a plan to another for all documents longer than 25 pages at least one week prior to a PC or county board meeting.**

1b. **Substantive Changes Far Too Late for Public Input.** Some of the 1,300 edits involved substantive changes to major plan elements: tree canopy, parking, retail animation, parking, affordable housing, and possibly even a new definition of building height that remains unclear. Some developers are claiming that the public has had time to absorb and accept these changes. That is inaccurate makes a mockery of the County's public engagement efforts.

As perhaps the most egregious example of a flawed process, ASF cites the blank spaces that assess key "deliverables" of the overall vision for Langston (p. 23 of the September 28 version.)

Image 2



2. Staff Briefings for Commissions - JFAC Condensed. The June 2023 iteration of the plan was 190 pages, covering topics as broad as transportation, environment, stormwater, public infrastructure, zoning, land use, diversity, and historic preservation across a major transit corridor. Most of the commissions hosted staff briefings, as usual, and they were fairly thorough, given the plan's complexity. However, the Joint Facilities Advisory Commission (JFAC) opted out of a staff briefing and only provided an update by one commissioner that lasted 5 minutes—with no real discussion. As this is the commission that should address public facilities planning that must be a part of any major upzoning, it failed in its core mission. **ASF asks that the county ensure all commissions give proper consideration of such major changes to our growth and development frameworks.**

3. Two-Minute Speaker Limits. In past years, individuals speaking to the Planning Commission were given 2 or 3 minutes, and community organizations (not affiliated with the Board) could speak for 5 minutes max. Image 2 below confirms that the ASF speaker was given 5 minutes in 2022 to discuss the PenPlace site plan, also very consequential and complex. For this PLB vote, as confirmed in Image 3, individual speakers were given only 2 minutes as were community organizations. County-appointed commissioners were given 3 minutes.

Image 3

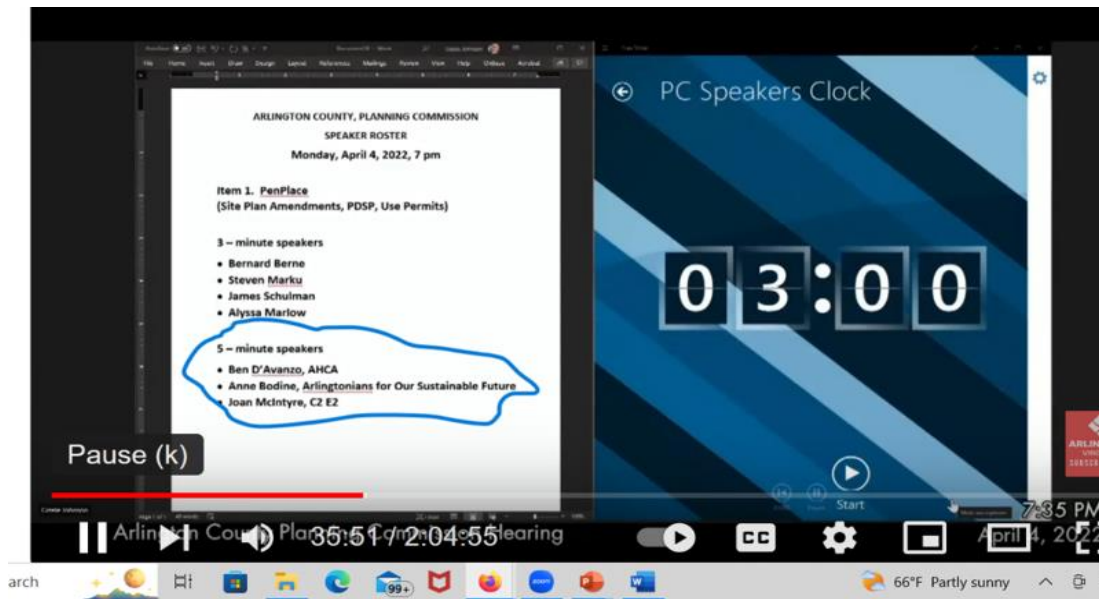


Image 4

Speaking Request

Citizens and/or speakers representing groups (civic associations, building tenants, alliances, ad hoc coalitions) are allowed to speak for **two (2) minutes only**. County Board appointed boards, commissions, and committees are allowed to speak for **three (3) minutes only**. One person will be allowed to represent and speak for an organization and/or County Board appointed groups.

I will be: Required

In-Person
 Virtual

I am speaking for Required

Myself
 An Organization

Organization Name Required

These are substantial restrictions on public input, and the previous time limits should be reinstated.

4. Real-Time Tracking of Meetings. Residents rely on access to PC and Board meetings via livestream and public access TV. The PC chair announced at the start of the October 2 meeting, that this is no longer the case. She said that livestream had been discontinued, and new instructions on the PC website (Image 4) show that public access to the meeting's videorecording on TV was available only 24–48 hours AFTER the event has occurred, limiting real-time public awareness of important civic actions.

Image 5

PC BUSINESS
Approval of the Meeting Minutes of September 11, 2023
Planning Staff Updates & Other Business

HOW TO VIEW AND PARTICIPATE

The Planning Commission Hearings are hybrid meetings where staff, applicants, and members of the public may attend in-person or via electronic teleconference/videoconference communications using Microsoft Teams.

Commission members, staff, and applicants will conduct the hearings in a hybrid environment at the Bozman Government Center, 2100 Clarendon Boulevard, Room 307, County Board Room.

Please note the following updates on how to view the hearings. The meetings will no longer be live streamed.

* The hearings will no longer be available to view in real time at www.arlingtonva.us. However, options will be provided to view the meeting in real time through Microsoft Teams (provided upon registration for public testimony only).

* A link will also be provided on the day of the meeting here to view online only.

* The hearings will be available for viewing online with closed captioning on YouTube, 24-48 hours after the hearings have taken place.

* A broadcast of the hearings will continue to be available with closed captioning on Comcast Xfinity channels 25 and 1085; Verizon FiOS channels 39 and 40, 24-48 hours after the hearings, 24-48 hours after the meeting has taken place.

Many in the community are wary of resurgent COVID; such remote real-time public access is vital, and moves to discontinue them must be explained and agreed by the public in advance. The new instructions (Image 4) on how to participate remotely—difficult to find on the PC's website—indicate that only those who sign up to speak will get access to the live proceedings. Many people do not want to speak, but that doesn't mean that they should be shut out of the real-time process. To provide equitable access to all members of the community, **the county must give the public a way to follow these events in real time. Reestablish the livestreaming and real-time broadcasting on public access TV, ASAP.**

5. Burying Access to County Board Agenda and Staff Reports. In a positive development, the request to speak at a County Board meeting now shows the topics available for public comment (previously one had to consult the agenda and note the agenda item number.) ASF applauds this change. However, the County has made overall access/awareness of the issues much more difficult, **we request that you revert to the previous navigation system that allowed a single click access to the meeting agenda from the Board's "meetings and agendas" page and another click from the agenda directly to individual staff reports, which allows users to directly sort information by topic.** Instead, website changes discovered in October by ASF require us to cut and paste the URL to a new landing page, and the agenda and the staff reports have been separated, with ALL staff reports bundled into a huge, unwieldy document that lacks both a table of contents and internal links to navigate directly to single topics within that document (currently at 512 pages).

6. Staff Report Not Posted in Time for Public Study. Virginia § 2.2-3707 requires that “At least one copy of all agenda packets and, unless exempt, all materials furnished to members of a public body for a meeting must be made available for public inspection at the same time the packets or materials are furnished to the members of the public body.” The meeting materials for PLB were not posted as of 5pm on Tuesday, October 10, 2023, (screenshot of the staff package below shows no attachments yet posted, in contrast to Agenda item #24). This means that neither the public nor the Board would be able to review the plan – we expect it to be over 200 pages – only 5 days before a vote. In normal circumstances, plans have not been subjected to major changes so soon before appearing in the Board’s meeting package, but we have outlined how that is not the case with this effort. **ASF asks that staff reports and agendas over 100 pages be posted no less than 7 days before any vote by the County Board.**

Image 5

- 23 Request to advertise public hearings by the Planning Commission and County Board to consider adoption of the following elements associated with the Langston Boulevard Planning Study: (A) The Langston Boulevard Area Plan; (B) General Land Use Plan (GLUP) Map and Booklet Amendments; (C) Master Transportation Plan (MTP) Map Amendment, and (D) Arlington County Zoning Ordinance Amendments, (§) 6.1, §7.12, and §12.3.

CM Recommendation:

- 24 Request to advertise public hearings by the Planning Commission and County Board on the draft Forestry and Natural Resources Plan (FNRP).

CM Recommendation: Adopt the resolution (Attachment 1 of the staff report) to authorize advertisement of public hearings by the Planning Commission on December 4, 2023, and the County Board on December 16, 2023, to consider adoption of the **Forestry and Natural Resources Plan**, as an element of the **Comprehensive Plan** (Attachment 2 of the staff report).

Thank you,

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Arlingtonians for Our Sustainable Future