



March 18, 2020

Arlington County Board
2100 Clarendon Boulevard, Suite 300
Arlington, VA 22201

Dear Chair Garvey,

There has been virtually no consultation with potentially affected stakeholders on the proposal to amend the Arlington County Noise Control Ordinance. Advertising a hearing on this proposal would effectively eliminate constructive engagement, limiting discussion to the public hearing format. As such, the Arlington Chamber of Commerce requests that the County Board remove Item # 33 from its Consent Agenda on Saturday, March 21, and then further that it deny the request to advertise at its Recessed Meeting.

There has been insufficient stakeholder engagement leading up to this request to advertise. The presentation as part of the County Manager's Report on October 22, 2019, came at an hour when many restaurants were preparing for their dinner service, so it was not an effective way of communicating with them. The Chamber has heard expressions of concern from other industries, as well. Although the staff report says that the proposed changes "are not anticipated to have any adverse impacts" (page 4), staff has not done the necessary engagement with potentially affected industries to validate this assertion, or to surface and to remediate possible unintended consequences of the amendment.

Public hearings at County Board meetings fulfill the legal requirement for community engagement, but they are not always effective fora for real input into code changes. Community suggestions from the lectern lead to attempts to amend the proposal on the fly, often raising questions and forcing quick decisions. As such, outreach by staff to potentially affected stakeholders before advertising code changes is essential.

The Chamber would object to proceeding with the request to advertise without proper stakeholder engagement at any time, but the next month is particularly inappropriate for this hearing. Restaurants are being especially hard hit by the COVID-19 pandemic and the public gathering limits. Allowing our restauranteurs to focus on providing for the continuity of their businesses and the wellbeing of their employees at this time should take precedence over gathering them for a discussion of the detail of how we enforce the Noise Control Ordinance, which can wait until the resumption of regular business.

We are not asking for a long, drawn-out process. Rather, we ask the County Board to direct staff to reach out to affected businesses, at an appropriate time following the resumption of normal activity, and to be open to their input and to suggestions that can improve the proposal. Once such engagement has occurred, then the Chamber will support advertising a public hearing for consideration of the code amendments.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in black ink that reads "Kate Bates". The signature is written in a cursive, flowing style.

Kate Bates
President & CEO

CC: Arlington County Board Vice Chair Erik Gutshall and members Katie Cristol, Matt de Ferranti, and Christian Dorsey; County Manager Mark Schwartz; Director of Constituent Services Ben Aiken and Business Ombudsperson Katelyn Thomas