

USE PERMIT APPLICATION

Arlington County Zoning Division

PROJECT NAME: _____ DATE: _____

SUBJECT PROPERTY IDENTIFICATION:

- ADDRESS _____
- REAL PROPERTY CODE(S) _____
- AREA (SQ. FT./ACRES) _____ ZONING DISTRICT(S) _____
- OTHER PROPERTY IDENTIFIERS _____

REQUEST TYPE:

- ORIGINAL FILING AMENDMENT TO EXISTING USE PERMIT REVISION TO APPLICATION

IF AMENDMENT, IDENTIFY EXISTING USE PERMITS: _____

REQUESTED USE:

- CHILD CARE* TELECOMMUNICATIONS* OUTDOOR CAFÉ* LIVE ENTERTAINMENT*
- TRANSITIONAL USE SUBDIVISION PER §10. _____ KIOSK COMPREHENSIVE SIGN PLAN
- OTHER AS SPECIFIED _____

*NOTE: In addition to the information on this form, the applicant must also provide associated supplemental information as provided for in the attached "Supplemental Information" document.

USE REQUESTED IS PERMITTED UNDER:

- ARTICLE _____ OF THE ARLINGTON COUNTY ZONING ORDINANCE

APPLICANT INFORMATION:

- OWNER OF RECORD CONTRACT OWNER** OCCUPANT**

- NAME _____
- ADDRESS _____
- PHONE NUMBER _____ EMAIL _____
- SIGNATURE _____

**NOTE: Property owner must consent to submission of this application in writing; include consent with application.

IF APPLYING ON BEHALF OF APPLICANT PROVIDE THE FOLLOWING:

- NAME _____ TITLE _____
- ADDRESS _____
- PHONE NUMBER _____ EMAIL _____

CONTINUED >

USE PERMIT APPLICATION

SUPPLEMENTAL INFORMATION

Arlington County Zoning Division

WHERE NOT PREVIOUSLY PROVIDED, PLEASE PROVIDE THE FOLLOWING SUPPLEMENTAL INFORMATION WITH SUBMITTAL OF THIS APPLICATION TO THE ZONING DIVISION

CHILD CARE USE PERMIT (11 COPIES)

YES NO

- Child Care Center Family Day Care Home
- Have you obtained a Memorandum of Support from Child Care Services indicating their analysis for expansion of the proposed number of children and your understanding of the requirements of Chapter 52 or Chapter 59 of the Arlington County Code? YES NO
- Is this an expansion of an existing Child Care Center or Family Day Care Home? If YES, provide associated permit number. YES NO

Existing Use Permit Number: _____
- Is there an outdoor play area? If YES, provide the square footage of the outdoor play area below. YES NO

Outdoor Play Area Square Footage: _____
- Is the outdoor play area fenced? If YES, provide description; include height, materials and finish. YES NO

Fence Description: _____

- Will there be care for children under 24-30 months of age? If YES, provide number below. YES NO

Number of Children: under 24 months of age: _____ under 30 months of age: _____
- Provide the number of staff onsite: Existing _____ Proposed _____
- Provide the total number of children: Existing _____ Proposed _____
- Provide a Final House Location Plat depicting all EXISTING site conditions/improvements. Plat must be scaled using an Engineer's Scale.
- Provide a House Location Plat depicting all PROPOSED site conditions/improvements. Plat must be scaled using an engineer's scale. Please note that a plat containing a Land Surveyor's or Engineer's seal is copyrighted and can not be altered without permission.
- If not provided in previous two plats/drawings please provide an additional scaled drawing (engineer's scale) depicting site parking, play area(s), fencing, additional structures and onsite circulation for pick up and drop off of the children.
- Provide a list of outdoor play equipment. Include photos or design details if able.
- Provide a scaled floor plan drawing (architect's scale) depicting all areas/rooms where children and their teachers/care takers will be present. Please be sure to note all exits that lead directly to the outside.
- Provide a Letter/Statement of Support from affected Civic Associations; If none, provide evidence of outreach to affected Civic Associations OR an explanation as to why no civic associations are affected by the proposed use.
- Provide Zoning Tabulations as necessary. (e.g. required and proposed parking, setbacks, height, lot coverage, etc.)

TELECOMMUNICATIONS USE PERMIT (11 COPIES)

YES NO

- Is this an expansion of an existing telecommunications facility? If YES, provide associated Use Permit number. YES NO

Existing Use Permit Number: _____
- Is the proposed telecommunications equipment replacing existing telecommunications equipment? If YES, provide a list of the equipment to be replaced. YES NO
- Provide a list of the telecommunications equipment to be installed. Include antennae, equipment cabinets, mounting structures, etc.
- Provide photographs of existing site conditions. Label/identify existing telecommunications equipment and identify the location of the proposed telecommunication improvements.

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Arlington County Zoning Division

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TELECOMMUNICATIONS USE PERMIT—CONTINUED (11 COPIES)

YES NO

- Provide the type of proposed/existing telecommunications facility.
 - Building Rooftop Monopole Other as specified below

- Provide a Certified Plat or Site Plan depicting all EXISTING site conditions/improvements. Plat/ Site Plan must be scaled using an Engineer’s Scale.
- Provide a Plat/Site Plan depicting all PROPOSED site conditions/improvements. Plat must be scaled using an engineer’s scale. Please note that a plat containing a Land Surveyor’s or Engineer’s seal is copyrighted and can not be altered without permission.
- Provide the final height elevation of the proposed telecommunications improvements to include both mounting equipment and actual antennae. Be sure to note the highest point; i.e. if mounted antenna or associated equipment extends beyond the height of an existing monopole or rooftop mount, note the highest point.
- Provide a Letter/Statement of Support from affected Civic Associations; If none, provide evidence of outreach to affected Civic Associations OR an explanation as to why no civic associations are affected by the proposed use.
- Note: By way of information the applicant does not need to include electrical details or wiring diagrams for the purposes of this application.
- Note: A lease agreement is not sufficient documentation for owner’s consent and can not be used in place of the required letter of consent from property owner.

OUTDOOR CAFÉ USE PERMIT (11 COPIES)

YES NO

- Provide the number of proposed outdoor seats and tables.
- Provide the hours of operation associated with each day of the week as well as the months in which the outdoor seating will be offered.
- Does the proposed outdoor seating area contain any of the following amenities? If YES, provide a detailed description of said amenities to include photos, construction/design details and illustrative drawings as appropriate.

- Planters	- Host Station	- Lighting	<input type="checkbox"/>	<input type="checkbox"/>
- Umbrellas/Awnings	- Barriers (moveable/fixed)	- Bussing Station		
- Signs/Menu Boards	- Portable heaters/fans	- Speakers (identify directionality)		

- Provide a Certified Plat or Site Plan depicting all EXISTING site conditions/improvements. Plat/ Site Plan must be scaled using an Engineer’s Scale.
- Provide a Plat/Site Plan depicting all PROPOSED site conditions/improvements. The Plat/Site Plan shall be inclusive and show the location of seats, tables, points of access/egress and all additional amenities (identified above) as appropriate. Plat must be scaled using an engineer’s scale. Please note that a plat containing a Land Surveyor’s or Engineer’s seal is copyrighted and can not be altered without permission.
- Provide a Letter/Statement of Support from affected Civic Associations; If none, provide evidence of outreach to affected Civic Associations OR an explanation as to why no civic associations are affected by the proposed use.
- Please initial in space provided acknowledging that you are aware that all Outdoor Café(s) located in the Public Right of Way need to obtain approval and/or a permit from the Department of Environmental Services (DES). Questions, call DES at 703.228.3629

SUPPLEMENTAL INFORMATION

Arlington County Zoning Division

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LIVE ENTERTAINMENT USE PERMIT (11 COPIES)

YES NO

- I have read the “Zoning Administrator’s Advice” dated November 1, 2010 regarding Live Entertainment (attached) OR (<http://www.arlingtonva.us/departments/CPHD/planning/zoning/page78939.aspx>)

- The Subject Property wherein the proposed live entertainment is to take place has been established as a Restaurant or Nightclub (check one) and has obtained a Certificate of Occupancy as a Restaurant or Nightclub. If **YES**, please enclose a copy of said Certificate of Occupancy and Capacity Certificate. If **NO**, please know the Arlington County Zoning Ordinance only permits live entertainment (with Use Permit approval) in association with a restaurant and/or nightclub

- Provide the type of proposed live entertainment to include a detailed description.
 - Musical Ensemble Solo Performers Deejays (DJ) Karaoke
 - Comics/Comedians Theatrical Dancing Other as specified below

- Will the proposed live entertainment use amplified audio equipment? If **YES**, provide a brief description below.

- Will the proposed live entertainment be offered indoors or outdoors? (check one)
- Provide the hours live entertainment will be offered in association with each day of the week and current business hours of establishment wherein the live entertainment is provided.
- Provide a scaled floor plan drawing (architect’s scale) depicting all areas/rooms where live entertainment will be setup/offered. This plan shall include the location of all equipment associated with live entertainment. (i.e. stage, DJ booth, karaoke machine, speakers, etc.)
- Provide a Letter/Statement of Support from affected Civic Associations; If none provide an explanation as to why no civic associations are affected by the proposed use.
- Note: If a dance floor or a space wherein patrons will be encouraged to dance is proposed, the applicant must also pursue and obtain a Dance Hall Permit from the Zoning Division.

DISCLOSURE STATEMENT

Arlington County Zoning Division

SUBJECT PROPERTY IDENTIFICATION:

DATE: _____

- ADDRESS _____
- REAL PROPERTY CODE(S) _____
- AREA (SQ. FT./ACRES) _____ ZONING DISTRICT(S) _____
- LOT(S) _____ BLOCK _____
- SECTION _____ SUBDIVISION _____

OWNERSHIP:

YES NO

- Is the owner of said real estate a corporation whose stock is traded on a national or local stock exchange and having more than five hundred (500) shareholders? If **YES**, give the name of the corporation and proceed to certification portion of this form.

- If **NO**, provide a list of the names, addresses and nature of interest of ALL persons having equitable ownership of the real estate to be affected. Include, in the case of corporate ownership, the names of stockholders, officers, directors and ALL parties in interest. If aforementioned information does not fit in the space provided, please attach an additional document as necessary.

PARCEL ADDRESS	NAME	ADDRESS	NATURE OF INTEREST

SEE ATTACHED

CERTIFICATION:

- I hereby certify that this is a true and accurate disclosure of all persons having equitable ownership in the real estate to be affected and of all parties in interest.

APPLICANT'S NAME _____ TITLE _____

ADDRESS _____

SIGNATURE _____

STATE OF _____, COUNTY OF _____, TO WITNESS _____

Subscribed and sworn before me this _____ day of _____, 20 _____

Notary _____

My commission expires _____

DISCLOSURE STATEMENT

ZONING ADMINISTRATOR'S ADVICE

Arlington County Zoning Administration

LIVE ENTERTAINMENT

November 1, 2010

ISSUE:

The Arlington County Zoning Ordinance (ACZO) does not define "live entertainment". Based upon the language of the ordinance, and the consistent administrative practice, how is this term applied?

RESPONSE:

It has been the consistent administrative practice to define "Live Entertainment" as follows: any entertainment involving performances, or delivery of entertainment by one or more persons. Examples include:

- A musical ensemble
- Solo performers
- Deejays
- Karaoke
- Comics/Comedians
- Theatrical acts (when performed in a venue other than a theatre)
- Dancing

Although every set of facts must necessarily be determined individually, live entertainment would not usually include things like piped-in background music, where no "live" person is actively involved in the playing of the music. Please note that the ACZO only permits "live entertainment" in association with a restaurant and after the approval of a Use Permit by the County Board. Additionally, dancing is only permitted per the County Code where a live entertainment use permit has been granted.

The foregoing statement is advice of the Zoning Administrator, only, and is subject to change and is not subject to appeal. It is provided solely for information and in an effort to assist the public. It may not be relied upon as legal advice or as creating any vested right to any use.

Some districts permit "nightclub or restaurant". Webster defines a nightclub as including a restaurant, and therefore a nightclub would be permitted to apply for a live entertainment use permit.