

Workgroup Denial Recommendation of Field Lighting

The Working Group has acknowledged that, with respect to some issues, absolute certainty will not be attainable. Nevertheless, scientific uncertainty should be an occasion for caution. Indeed, the special use permit process itself properly incorporates a precautionary principle when it requires the County — before it may grant a permit — to make three separate showings. Arlington County may approve a permit or permit amendment only if it (1) will not affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use; (2) be detrimental to the public welfare or injurious to property or improvements in the neighborhood; and (3) be in conflict with the master plans of the County.” Arlington Zoning Ordinance section 15.4.3.

Given the extraordinary levels of scientific, human health, and technical uncertainty surrounding the erection of numerous LED light poles in the Williamsburg neighborhood, both modern scientific precautionary principles and Arlington’s own laws mandate a very careful and deliberate review. It bears repeating here that, irrespective of the charge to the Working Group, the ultimate burden of demonstrating compliance with special use permit requirements lies with the County, not the Working Group. At least in the minds of some Working Group members, the record to date is very poorly developed and provides no basis for such a permit.