

The Committee of 100
on the Federal City



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By Electronic Mail

June 18, 2012

Mr. Anthony J. Hood
Chair
DC Zoning Commission
441 4th Street, NW, Suite 220-S
Washington, DC 20001

Dear Chairman Hood:

The Committee of 100 on the Federal City (C100) writes in reference to an update on the Zoning Regulation Revision (ZRR) provided by Jennifer Steingasser to the Zoning Commission on June 11, 2012. You will recall that on May 14, Ms Steingasser proposed that one section of the proposed code be brought to the Zoning Commission for setdown in the context of the current code to determine how the process is working in light of substantial public push back. By June 11, the number of sections proposed for setdown has quadrupled and include additional amendments as the result of OAG guidance.

And the proposed setdown is different from what the Task force was told at its most recent meeting on June 5.

I write because it was unclear on June 11 whether or not OP has abandoned its agreement to hold at least one ward-wide public meeting per ward and when those meetings would occur in the proposed scenario.

You will recall that following the "special meeting" of the task force, the Office of Planning and the Zoning Commission, Travis Parker circulated a memorandum on April 14, 2011, that stated the following:

"OP recommends that the Commission review text prior to the public outreach

through their setdown process, but that public hearings be held after the city-wide informational meetings. This would allow the commission to review and comment on text prior to public discourse, but maximize participation at public hearings. It would also ensure that, with time to setdown the text, public outreach would not happen until the fall. OP's recommended process would follow these steps:

1. Completion of draft text
2. Setdown of text by the Zoning Commission
3. Broad public outreach
4. Subject-specific public hearings on text"

Step three – Broad Public Outreach – was not mentioned in Ms Steingasser's recent presentation to the Zoning Commission. Proposed text would be set down as amendments to the current code and apparently follow a different path than that outlined in Mr. Parker's memorandum. The setdown will also occur when it is likely residents will be out of the city on summer vacation.

It is clear that some members of the task force are unaware of the expedited process and the set down in July, and equally clear that some ANCs and some sections of the city are unaware the code is being revised. Yet, the Office of Planning proposes to skip the broad public outreach that has been a guiding principle of the ZRR process.

The C100 asks the Zoning Commission to request that the Office of Planning provide an updated ZRR schedule that outlines:

1. Why it is necessary to bring forward an expanded number of text amendments when the Zoning Commission asked for a single section to be setdown through a trial "process;"
2. When extensive public outreach will be conducted on a ward-wide basis in each ward of the city for the proposed text amendments;
3. When these text amendments will be reviewed by the task force in their setdown format;
4. What assurance would be given that the text being taken out of context for setdown in July would not have a future effect on some remaining sections of the ZRR; and,
5. What the process would be for remaining subsections of the ZRR?

The C100 has participated in a number of community meetings and is comfortable stating that some of the text proposed for setdown remains very problematic and has not been well received by the public. This has led the Office of Planning to make some changes, but other sections need additional revision or removal from the proposed code. Accessory Dwelling Units; the height of residential dwellings and side yard setbacks remain some of the contested sections. As currently proposed, neighborhoods recognize these amendments would affect the character of their established residential neighborhoods and are not in keeping with the Land Use and Area Elements of the Comprehensive Plan.

The C100 has participated also in most of the 42 hearings cited by Ms. Steingasser and recognizes the extensive work that has gone into the code revision. We acknowledge the process has been tiresome; however, rushing to the finish line without extensive public outreach and discourse diminishes the integrity of the process, and appears to be an end run around the public. C100 strongly encourages the Zoning Commission to require a plan to implement extensive outreach in all wards and to require the process be repeated each time new text is brought forward for setdown.

Sincerely,



George R. Clark
Chair

cc: Mayor Vincent Gray (by electronic copy)
Council Chairman Phil Mendelson (by electronic copy)
Councilmember Tommy Wells (by electronic copy)
Harriet Tregoning, Director Office of Planning (by electronic copy)
Sara Bardin, Director Office of Zoning (by electronic copy)
Jennifer Steingasser (by electronic copy)