

District of Columbia Zoning Commission  
Suite 210  
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Washington, DC 20001

October 16, 2006

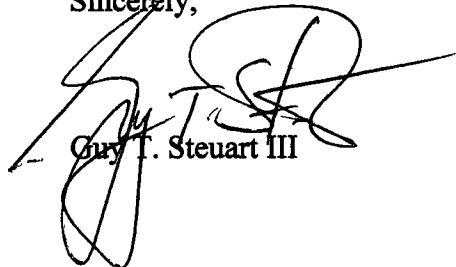
Dear Members of the Commission:

I am writing concerning the matter of Inclusionary Zoning Overlay (IZO) and specifically the issue of mapping areas to which the provisions of Order 04-33 might apply. Mandatory affordable housing, absent compensatory development incentives, would be nothing more than a confiscatory tax on the existing stock of residential land and improvements. It would, in that hypothetical, narrowly subject and unfairly burden one element of the housing production industry in an attempt to resolve the greater societal hardship. A better, but only partial, solution would be to provide incentives to build more housing, not less.

Notwithstanding concerns I have regarding Order 04-33, namely the unknown costs of enforcement and ambiguity introduced into project development measured against the expectant societal gains, I understand the Office of Planning recommends exempting from the applicability of IZO those areas within which no bonus density can be generated; for example, areas that fall within the DD zoning category. I endorse OP's recommendation of this element of the IZO mapping report inasmuch as it will allow planned DD-zoned developments to progress without the added confusion of the IZO.

Thank you.

Sincerely,

  
Guy T. Steuart III

ZONING COMMISSION  
District of Columbia

CASE NO. 04-332

EXHIBIT NO. 49

ZONING COMMISSION  
District of Columbia  
CASE NO. 04-33A  
EXHIBIT NO. 49