

WASHINGTON LEGAL CLINIC FOR THE HOMELESS, INC.

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April 13, 2007

Sharon Schellin
Secretary to the Zoning Commission
Office of Zoning
441 Fourth Street, NW
Suite 210-S
Washington, DC 20001

Re Comments to Proposed Rulemaking, Z C Case No 05-05

Dear Ms. Schellin

Please accept the enclosed comments to the Zoning Commission's proposed rulemaking that would permit the siting of emergency shelters in C-M-1 and C-M-2 districts. As detailed in our comments, we oppose this change to the District's zoning regulations.

We would be happy to provide any additional information that the Commission might find helpful. Many thanks for your consideration.

With kind regards,



Patricia Mullahy Fugere
Executive Director



Andy Silver
Law Clerk

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ZONING COMMISSION
District of Columbia

CASE NO. 05-05
EXHIBIT NO. 12
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District of Columbia
CASE NO. 05-05
EXHIBIT NO. 12

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Comments to Proposed Rulemaking Z.C. Case No. 05-05, Text Amendment—11 DCMR, Emergency Shelters in Commercial Light Manufacturing Zone Districts

The Washington Legal Clinic for the Homeless (WLCH) urges the Zoning Commission to reconsider the proposed amendment to permit emergency shelters in C-M-1 and C-M-2 Commercial-Light Manufacturing Zone Districts. WLCH believes that shelters should be treated like other residential housing. Individuals who are forced to stay in emergency shelters are entitled to the same zoning protections afforded to people who reside in houses and apartment buildings. The proposed rule would have the perverse effect of allowing large emergency shelters in C-M-1 and C-M-2 districts, which are not meant for residential use, while large shelters remain prohibited from R-5, SP, CR, C-1, and C-2 districts, which all allow for at least some residential use. C-M-1 and C-M-2 districts are meant for warehouses, not for the warehousing of individuals who are homeless.

The Comprehensive Plan, adopted in 2006, states that commercial light manufacturing zones are “characterized by manufacturing, warehousing, wholesale and distribution centers and utility activities which may require substantial buffering from noise-, air pollution- and light-sensitive uses such as housing” (Comprehensive Plan, 1-35). Individuals who are homeless have every right to be protected from noise, air and light pollution as those of us who have homes.