



**Advisory Neighborhood Commission 4B
6856 Eastern Avenue, NW - Suite 314
Washington, DC 20012**

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2009 APR -6 PM 4:24

April 6, 2009

Honorable Anthony Hood, Chair
Zoning Commission of the District of Columbia
441 4th Street, NW, Suite 200S
Washington, D.C. 20001

To Be Sent Via Fax and US Mail

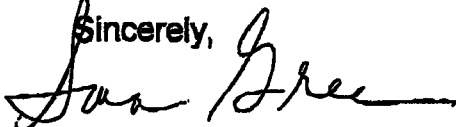
Dear Chairman Hood:

Advisory Neighborhood Commission 4B held a Special Public Meeting on April 2, 2009 at 7 p.m. at the Takoma Recreation Center, 300 Van Buren Street, NW. A quorum was present.

In a unanimous show-of-hands vote, we adopted the attached resolution with respect to Case No. 08-06-08, the Comprehensive Zoning Regulations Rewrite: Low/Moderate Density Residential. Please include this resolution in your hearing record and consider it as our testimony.

Our vote followed a March 31, 2009 community meeting on the proposal, which included a lengthy presentation from Mr. Travis Parker, of the Office of Zoning, and a question and answer period. Mr. Parker also attended our April 2, 2009 special meeting, to answer questions about Case No. 08-06-8 and to state the position of the Office of Planning. We very much appreciate his help and the time he spent with our community.

As you can see, our Commission has some significant reservations about these proposed regulations and we thank you in advance for your consideration.

Sincerely,

Sara Green
Secretary

Attachment

ZONING COMMISSION
District of Columbia

CASE NO.

08-06-8

EXHIBIT NO.

7

ZONING COMMISSION
District of Columbia
CASE NO. 08-06-8
EXHIBIT NO. 7

Resolution - Adopted on April 2, 2009
Case No. 08-06-8 - Comprehensive Zoning Regulations Rewrite:
Low/Moderate Density Residential

Advisory Neighborhood Commission 4B recommends that the DC Zoning Commission make key changes in the proposed new zoning regulations for low and moderate density residential areas (Case No. 08-06-8).

We understand that our current zoning regulations are outdated and need to reflect 21st Century standards and conditions. However, we cannot support this proposal in its present form and recommend that it be sent back to the Office of Planning and the working groups for further discussion, amendment and clarification.

Here are our concerns:

1. The proposal is, in effect, a contract with the public with many blank spaces. The Office of Planning is asking the community to sign before it knows all of the terms.

For example, the proposal would convert many "special exception" uses into "matter of right" uses IF the impact to the residents is determined to be negligible. We have been told that, for example, a day care center with a small number of students, now only permitted by special exception following community and ANC participation, would be permitted without these protections. But a day care center with a student population determined to have a greater impact on its neighbors would still require a hearing.

However, conditions and circumstances may vary significantly from one neighborhood to another. The affected community and the corresponding ANC should be able to participate in such decisions through hearings. It is the residents' quality of life and property values which would be affected, positively or negatively. They too are stakeholders.

2. If a property owner wants a boost in the size of the space his building can occupy, neighbors and Advisory Neighborhood Commissions should be able to weigh-in on the request in a public hearing as they do now.

3. A proposal to establish new tools for neighborhood "customized zones" is now too vague to give the public assurance it will work. What is the formal process to assure residents and Advisory Neighborhood Commissions that the community will have a meaningful voice in the creation of the new zones? This process should be detailed right now.

4. The city's system of community notification is already insufficient and this proposal does nothing to improve it. We ask that the Zoning Commission add

**Adopted Resolution - April 2, 2009
Advisory Neighborhood Commission 4B
Case No. -8-06-8 Comprehensive Zoning Rewrite:
Low and Moderate Density Residential**

requirements that the District of Columbia government notify, in writing, nearby and affected property owners and residents within 600 feet of proposed new buildings or additions which increase the percentage of lot occupancy.

- * for all proposed zoning actions and permit requests, and
- * for the related public hearings.

The printing, mailing and administrative costs of written notification should be covered by increasing filing and other fees to developers.

We designate every Commissioner in Advisory Neighborhood Commission 4B to speak on behalf of this proposal as it affects their single member district as long as their statements do not conflict with the provisions of this resolution.

These comments are made in accordance with District of Columbia Code 1-309.10(d)(3)(A), 1-309.10(d)(3)(B), and 1-309.10(d)(3)(C), which require that our Commission receive "great weight" from government agencies, and that government agencies must articulate their decisions in writing with "particularity and precision," explaining "the reasons why the Commission does or does not offer persuasive advice under the circumstances."

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FAX COVER SHEET

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April 6, 2009

**To: Anthony Hood, Chair
Zoning Commission of the District of Columbia**

**From: Sara Green, Secretary
Advisory Neighborhood Commission 4B**

**Re: Case No. 06-08-8 (Comprehensive Zoning Regulations Rewrite: Low/Moderate
Density Residential**

This fax has 4 (four) pages, including this cover sheet.

**Please call me (Commissioner Sara Green) at (202) 829-8802 if you have problems receiving
this fax.**

Thank you. We appreciate your help.