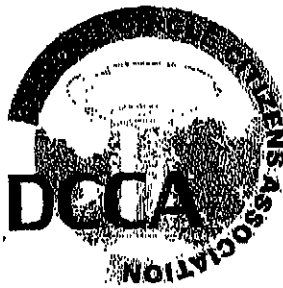


DCCA is a volunteer, nonprofit organization,
founded in 1922 to enhance the Dupont Circle
neighborhood.



9 Dupont Circle, NW
Washington, DC 20036
www.dupont-circle.org

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September 25, 2015

Zoning Commission
Chair Anthony Hood
441 Fourth Street, NW, Suite 200S
Washington, D.C. 20001

Dear Chair Hood,

On September 24 the Board of the Dupont Circle Citizens Association
Renewed its opposition to the ZRR. See attached resolution of the full
membership of our organization from May 2013.

We note further, that the Georgetown Citizens Association received special
treatment in addressing the ZRR, and that our association received no
information whatsoever. We find that the deletion of IZ requirements from
downtown is unacceptable.

Sincerely yours,

Robin S. Diener
President
202 431-9254
robinsdiener@gmail.com

Dupont Circle Citizens Association Report on Zoning Re-Write; Request for Neighborhood Planning

The Zoning Re-Write was initially presented some years ago as a review of the zoning code for the purposes of simplifying it. The goal was to eliminate inconsistencies, clarify elements that have proved confusing, and align it with the Comprehensive Plan as required by law.

At community meetings throughout the Re-Write process, Office of Planning Director Harriett Tregoning represented the current code as being hard to understand. She called it a "full employment program for lawyers," a line which always got a laugh, including at a Dupont Circle Citizens Association membership meeting in 2012.

Far from being simplified, as proposed by OP, the zoning code increases by 300 pages. The Reid-Cooke overlay (to name one example) doubles from 6 to 12 pages, and 146 zones are created where previously there had been 62. It is interesting to note that in Philadelphia, a much bigger city than DC, a rewrite was also undertaken a few years ago. They cut their code by 200 pages.¹

Another of OP's talking points was the code's age -- fifty years, "older than most of the residents of the District of Columbia." Age is irrelevant with regard to a body of law. We amend the law, we don't throw it out. See *The Constitution of the United States*. For one thing, what would happen to all the practices and precedents of established jurisprudence and the train of case law? Anyone who has been to a zoning hearing has seen that precedent is considered to be all.

Another problem with the proposed changes is the seemingly cookie cutter approach to our varied neighborhoods. At the aforementioned DCCA membership meeting in 2012, Director Tregoning was surprised at residents' concern about the so-called corner store provision. Dupont, an historic district with major commercial corridors and several compact, convenient commercial strips has no need of more corner stores. Indeed, when OP eventually got back to DCCA leaders about places that corner stores could go in our neighborhood under the new provisions, there was only one eligible corner. On the other hand, we struggle to hold onto our existing residential structures, against pop-ups, conversions of single family homes into multiple units, and threats of commercial expansion, which the code changes do nothing to protect us from, despite our repeated requests for planning assistance.

Another principal purpose of the Re-Write was to reflect changes to the Comprehensive Plan as revised in 2006 and 2010 and approved by the DC Council. Yet many changes seem to contradict the Comp Plan rather than flow from it. In fact, what the proposed Re-Write does -- under the guise of a mere update -- is make major policy changes to land-use, density, and transportation.

Just as we had to fight off changes to the Height Act, touted as conducive to the creation of affordable housing, and later refuted, so we reject the Zoning Re-Write, which fails to achieve its stated purposes. We ask that OP return to the original aims of simplifying and clarifying the existing zoning code, and accurately aligning it with the Comprehensive Plan. We recommend that a new Director of Planning be charged with *neighborhood planning* that takes into account the complex, interlocking needs of established institutions and local practices, together with new trends, in order to achieve the outcomes desired by all and sundry, and which can be expected to vary from neighborhood to neighborhood.

Submitted by Robin Diener,
Chair, DCCA Regulatory Committee

Accepted unanimously by membership
May 6, 2013