

**RESOLUTION OF ADVISORY NEIGHBORHOOD COMMISSION 8E
RECOMMENDING KEEPING THE RECORD OPEN FOR RESPONSE TO THE
DISTRICT OF COLUMBIA'S OFFICE OF PLANNING / OFFICE OF ZONING
PROPOSED CHANGES TO ZONING REGULATIONS**

Effective November 4, 2013

WHEREAS, pursuant to applicable District laws, each Advisory Neighborhood Commission ("Commission") may advise the Council of the District of Columbia, the Mayor and each executive agency, and all independent agencies, boards and commissions of the government of the District of Columbia with respect to all proposed matters of District government policy including, but not limited to, decisions regarding planning, streets, recreation, social services programs, education, health, safety, budget, and sanitation which affect that Commission area [D.C. Official Code §§ 1-309.10(a)];

WHEREAS, proposed District government actions include actions of the Council of the District of Columbia, the executive branch, or independent agencies, boards, and commissions. In addition to those notices required in D.C. Official Code §§ 1-309.10(a), each agency, board and commission shall, before the award of any grant funds to a citizen organization or group, before the transmission to the Council of a proposed revenue bond issuance, or before the formulation of any final policy decision or guideline with respect to grant applications, comprehensive plans, requested or proposed zoning changes, variances, public improvements, licenses, or permits affecting said Commission area, the District budget and city goals and priorities, proposed changes in District government service delivery, and the opening of any proposed facility systems, provide to each affected Commission notice of the proposed action as required by subsection (b) of this section;

WHEREAS, the issues and concerns raised in the recommendations of the Commission shall be given great weight during the deliberations by the government entity, and great weight requires acknowledgement of the Commission as the source of the recommendations and explicit reference to each of the Commission's issues and concerns [D.C. Official Code §§ 1-309.10(c)(3)(A)];

WHEREAS, the District of Columbia Office of Planning (OP) started their planning for the Zoning Rewrite process several years ago;

WHEREAS, OP delivered what was to be their final draft of their amended zoning regulations to the Office of Zoning (OZ) on July 29, 2013;

WHEREAS, OP has since made revisions to those "final" draft amendments;

WHEREAS, on September 9, 2013, the DC Zoning Commission set-down OP's final draft regulations for City-wide public hearings, public review, and public comment;

WHEREAS, on October 9, 2013, OP announced publicly that they have finally provided printed-versions of the final draft regulations, more than 1000 pages in length, at all public libraries;

WHEREAS, Georgetown had a one on one with OP and the draft amendment regulations

WHEREAS, on October 15, 2013, OP announced that they have finally provided OZ what they call "cross-walks" which helps the public relate current regulations to their corresponding draft amended regulations;

WHEREAS, ANC's and the public are expected to give feedback and provide testimony as such to the Zoning Commission by the end of October 2013 and at hearings in early November 2013, a span of less than 30 days from copies being made available.

WHEREAS, ANC 8E has a major concern based on solid evidence that the current Zoning rewrite process does not allow for meaningful public participation or proper review of the draft regulations as this 1000 page draft was only recently submitted by OP to the Zoning Commission, and printed drafts were only recently made available at public libraries;

WHEREAS, ANC 8E will request that the Office of Planning to participate in a future ANC 8E meetings to discuss the impacts of the draft regulations, both on ANC 8E and City-wide, so our community can understand the full scope of the zoning rewrite amendments and to provide an opportunity for 8E and its community the opportunity to informed feedback to the Zoning Commission;

THEREFORE, BE IT RESOLVED, THAT, upon considering the foregoing and after due inquiry, a majority of the duly elected and serving Commissioners of ANC 8E voted at an open, duly noticed meeting held on November 4, 2013, (1) to recommend that the Zoning Commission postpone any rulemaking regarding OP's draft zoning amendments, and keep the record completely open for at least 180 days, or March 31, 2014 to ensure robust and fair review can be had and that a thoughtful and thorough response from the public, including this Advisory Neighborhood Commission, can be delivered for deliberations by the District of Columbia Zoning Commission; and (2) authorized Commissioners Anthony Muhammad (ANC 8E02) and Stephen A. Hawthorne (ANC 8E05) to appear and testify on behalf of ANC8E at any City Council and/or OZ/OP hearings on the subject matter covered by these Resolutions, as may be necessary.

FURTHER, RESOLVED, that, at any such hearing, the Office of Planning, Office of Zoning and/or City Council may rely upon Commissioner Anthony Muhammad statements made consistent with this Resolution; and

FURTHER RESOLVED, that, ANC 8E requests that OP, the Mayor of the District of Columbia and the Council give "great weight" to the views of ANC 8E in approving any changes to the zoning regulations.

Respectfully submitted,
Anthony Muhammad, Chair,

ANC8E

