

**DISTRICT OF COLUMBIA GOVERNMENT
ADVISORY NEIGHBORHOOD COMMISSION 5D**



On September 9, 2014, at a regular public meeting of Advisory Neighborhood Commission 5D (ANC), where a quorum was present, the ANC voted 4-0 to submit the following comments for inclusion in the Zoning Commission official record; specifically, the ANC's comments respond to the Zoning Regulation Review process, which was extended by Mayor Vincent Gray to September 15, 2014. The ANC 5D respectfully requests the requisite "great weight" in this matter as defined by District of Columbia law.

The Zoning Rewrite Review process includes over one thousand pages of text that presents a burden for ANC 5D to process efficiently, given that ANC 5D is a newly formed Commission, without benefit of a permanent office and staff. Nevertheless, the Commission, underscoring the approximately 14,000 residents represented herein proffers the following comments:

1. ANC 5D opposes accessory dwelling units (ADU's) as a matter of right.
2. ADU's should be considered as a special exception only if the applicant can demonstrate no adverse impact on neighbors; an application for special exception must be considered at a public meeting of the ANC, in which the affected property is located.
3. The existing list of home occupations should continue to be restricted and not allowed in ADU's
4. Corner food stores should continue to be restricted unless built and in operation prior to 1958. The Commission has received no testimony from any 5D resident reflecting an expressed need or desire for additional corner stores anywhere within its boundaries.
5. The Zoning Commission and DC Office of Planning should fully explore and create restrictions on opening and operating additional liquor stores in any area that has at least two such establishments within 1000 feet and where the crime rate in the affected patrol service area (PSA) is high. The proliferation of liquor stores in high crime areas contributes to neighborhood blight and lowers the value of surrounding real estate, according to the National Institute of Drug Abuse (NIDA). The ANC 5D agree with this assertion.

6. Requests for variances and special exceptions for exceeding the established height limit should not be considered unless the property owner can ably demonstrate a hardship; if a waiver or variance is granted the height request may not exceed 5 feet. The Commission supports ongoing protections to historic views and neighbor's access to and enjoyment of light and air. The residents of ANC 5D opposes the granting of "pop-ups". The Commission recommends that stringent requirements for adding additions to residential property within historic districts apply and should be added to areas that are not officially designated historic, yet are believed to possess historic value.
7. The proposed regulations that substantially limit, restrict and eliminate parking should be removed from the Zoning Rewrite process. The Zoning Commission and Office of Planning should work collaboratively with the District Department of Transportation and the Washington Metropolitan Transit Authority and ANC's to create a viable plan that encourages DC residents to walk more and utilize mass transit. The District should not seek to penalize car owners through onerous codified regulatory action(s). Planned unit developments (PUD's) should continue to include adequate parking to protect the affected community against parking congestion.
8. The city should explore the feasibility of providing tax relief to residents that are willing to create parking spaces on their property to relieve on-street parking demand and congestion.
9. More explanation is needed to determine why R3, R4 and R5 designation should be altered. How will the affected communities benefit by any changes?
10. The Zoning Regulations Rewrite process proposes to reduce the participation of and role of the ANC's, regarding matters that directly affect DC residents. The role of ANC's is clearly outlined in the District's Home Rule Charter and should not be abridged in any way.

Finally, while it is true that the Zoning Regulations Rewrite process has officially been underway since 2008, all DC communities have not been afforded a real opportunity to meaningfully participate. The DC Office of Planning has selectively worked with communities in Georgetown and Cleveland Park (to a lesser extent) to help their residents understand and respond to the proposed revisions to our zoning regulations. These residents had an opportunity that the wider DC residents did not. The ward briefing sessions facilitated by the DC Office of Planning were shallow and did not provide real answers to citizens' questions. EVERY DC resident deserves the opportunity to ask questions regarding proposed changes to our regulations and how said changes will impact our quality of life. The urgency to amend our zoning regulations should not foreclose on the rights of any DC resident to be heard, to engage and to understand how the proposed changes will alter our neighborhoods.

The ANC 5D recommends that the feedback received from citizens thus far be viewed as preliminary. We deserve an opportunity to thoughtfully weigh each proposed change at ANC public meetings in every ward; ANC meetings are required by law, representing grassroots engagement of citizens throughout the District of Columbia.

Respectfully Submitted By,

KHenderson

Commissioner Kathy Henderson, 5D05
Chairperson, ANC 5D