LANDMARK
CONSTRUCTION DEVELOPMENT LLC

Comments on ZC 14-11

The Zoning Commission has the authority to designate a later effective date for the adoption of new regulations The Zoning Commission should use vesting rules adopted with the GAR Regulations in 2013 The Office of Planning supported these vesting rules based on the overall timing of "more than one year" between public notice and effective date (the effective date corresponding to building permit application date, not building permit issuance date)

Specifically, the notice of public hearing in that case (12-10) was published on September 7, 2012, and the proposed effective date (or deadline for building permit submission) was October 1, 2013 This case's public hearing notice was published on September 12, 2014, meaning that using the same rationale that OP used in the GAR case, the effective date of these Regulations should also be around October 1, at best, *and this should be the deadline for submission of building permit* ***applications*** *using the old Regulations* This vesting period is necessary and fair to the small developer (in which rules which had been considered standard planning policy for the past 56 years are now being denounced as so deficient that they must be halted immediately, with no regard to the harm such action causes to owners and their property rights)

One common denominator of all R-4 developers they all choose to **invest** in the District In particular, they choose to invest in providing and improving housing in the District The proposed action, constitute a war on housing (which is the same as a war on affordable housing), and a war on investment in the District

This action will damage and discourage investment in the District and the production of housing, and greatly impact affordable housing Given this, how will the Zoning Commission counterbalance the impact of this action on the housing supply in DC? Will it lower the parking requirement in zones R-5 and up? Will it raise the permitted FAR in those zones?

Landmark Construction Development LLC
1400 Key Blvd Suite 100 Arlington, VA 22209
www landmarkcd org (703) 825-6168

These Regulations introduce concepts never seen before in the Zoning Regulations, because they require reference to the neighboring structure for benchmarks and measurements Imagine all the ammunition for abuse and confusion These Regulations will pit property owners against each other, catching an already overworked DCRA in the middle

How is the 30% GFA provision to be interpreted? Does OP even know? What's the purpose of this? It was never mentioned before and never commented on – should be re-noticed and discussed in a hearing

If the Regulations reference the Building Code, then why isn't that Code's protections enough to address the issue? Why does the Zoning Administrator also have to address it? By what standard is the ZA supposed to determine when something "impedes the functioning of a chimney or vent?" These must also be re-noticed and discussed with input from people that understand the issue more than OP does, such as the Chief Building Official and ZA

My firm will never build a 4th IZ Unit, housing is best provided by free-market incentives rather than state coercion

Respectfully,

Job A Woodill

Principal