

June 7, 2015

VIA EMAIL DELIVERY

Chairman Anthony J. Hood
District of Columbia Zoning Commission
zcsubmissions@dc.gov

RE: ZC Case Number 14-11

Dear Chairman Hood and Members of the Commission,

This is a follow up letter to the letters I have previously written in opposition to the Office of Planning proposal to re-write the R-4 Zoning regulations. As it appears now, the Zoning Commission will be voting to support the changes and the new rules will be implemented. The Zoning Commission should not compound this mistake by backdating the effective date.

I respectfully am requesting the Zoning Commission provide a grace period for these regulations to be implemented. I encourage you to really ask yourself if it is fair to enact a rule change retroactively and carefully consider the harm it may cause. Now that the decision has been made to vote in favor of these changes, you must consider very carefully the economic impact such a drastic decision will have on employees, employers, and investors. When looking at past regulation change, there is almost always a transition period. The written regulation is changed, but the implementation is delayed to provide time for all those affected to consider the impacts and make the proper adjustments. A recent change to the requirements for Storm Water Management was made by DDOE. However, the regulations were not enacted for a grace period of at least 1 year. This allowed all those who had to abide by the new regulation the proper time to adjust to the requirements. The same must happen here. By backdating the effective date, you are wiping out significant dollars from the economy. You are immediately causing plumbers, electricians, laborers, etc. to lose their jobs and income. You are immediately wiping out millions of dollars of investment and retirement income from law abiding DC residents who were investing in the city.

What about those projects that were acquired over the past year under a certain set of rules and regulations. Those projects should be allowed to continue through the development process. The Office of Planning has arbitrarily created two effective dates. The first being July 17, 2014 and the second being February 1, 2015. Neither of these dates make any sense. Any backdating is very tough to swallow ethically, logically, and potentially legally. In addition, why is one property category afforded more property rights than the next? Why two separate dates? This makes no sense.

Please think through this decision logically and provide a grace period to allow those projects already in the pipeline to continue through the development process. A rational and defensible grace period would be to allow at least 6 months from the final vote for projects to have applied for building permit submissions.

Sincerely,

Christian P. Cronin

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