

GOVERNMENT OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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REGULAR PUBLIC HEARING
CASE NO. 24-19

+ + + + +

THURSDAY

MAY 1, 2025

+ + + + +

The Public Hearing of the District of Columbia Zoning Commission convened via teleconference, pursuant to notice at 4:00 p.m. EDT, Anthony J. Hood, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson
ROBERT E. MILLER, Vice Chair
JOSEPH IMAMURA, Commissioner
GWEN WRIGHT, Commissioner
TAMMY STIDHAM, Commissioner

OFFICE OF ZONING STAFF PRESENT:

PAUL YOUNG, Zoning Data Specialist
SHARON S. SCHELLIN, Secretary

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

HILLARY LOVICK, Esquire

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ALSO PRESENT:

MAXINE BROWN-ROBERTS, Office of Planning
TANYA TORRES TRICE, CFSA
DESIREE MINOR, CFSA
NICOLA GRAY, ESQUIRE, CFSA
MARIANNA ABRAHAM, CFSA

The transcript constitutes the minutes from the
Regular Public Hearing held on May 1, 2025.

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T-A-B-L-E O-F C-O-N-T-E-N-T-S

Case No. 24-19

D.C. Child and Family Services Agency (CFSA)

Introduction - Chairman Hood 4

Preliminary Matters 6

Applicant's Presentation - Director Torres Trice 7

Questions/Comments by Commissioners

Commissioner Wright 10

Commissioner Imamura 10

Vice Chair Miller 11

Commissioner Stidham 11

Chairman Hood 11

Office of Planning Report - Maxine Brown-Roberts 12

P-R-O-C-E-E-D-I-N-G-S

(4:00 p.m.)

CHAIRPERSON HOOD: Good afternoon, ladies and gentlemen. We are convening and broadcasting this public hearing by videoconferencing. My name is Anthony Hood. Joining me this evening are Vice Chair Miller, Commissioners Wright, Stidham, and Imamura. We're also joined by the Office of Zoning staff, Ms. Sharon Schellin and Mr. Paul Young, who will be handling all of our virtual operations, as well as our Office of Zoning Legal Division, Ms. Hillary Lovick. I will ask all others to introduce themselves at the appropriate time.

Copies of today's virtual public hearing notice are available on the Office of Zoning's website. Please be advised that this proceeding is being recorded by a court reporter, and is also webcast live via Webex and YouTube Live. The video will be available on the Office of Zoning's website after the hearing. Accordingly, all those listening on Webex or by phone will be muted during the hearing, and only those who have signed up to participate or testify will be unmuted at the appropriate time. Please state your name before providing oral testimony on your presentation.

Oral presentations should be limited to a summary of your most important points. When you are finished speaking, please mute your audio so that your microphone is no longer picking up sound or background noise. If you experience

1 difficulty accessing Webex or with your telephone call-in, then
2 please call our OZ Hotline number at 202-727-0789 to receive
3 Webex log-in or call-in instructions or if you need assistance
4 to sign up to testify. All persons planning to testify either
5 in favor, opposition, or undeclared must sign up in advance and
6 will be called by name. If you wish to file written testimony
7 or additional supporting documents during the hearing, then
8 please request that the submission be entered into the record and
9 be prepared to describe it at the time of your testimony.

10 The subject of this evening's hearing is Zoning
11 Commission Case Number 24-19, D.C. Child and Family Services
12 Agency, CFSA, Text Amendment to Subtitle B, Section 100.2. Again,
13 today is May 1st, 2025. The hearing will be conducted in
14 accordance with the provisions of 11-Z DCMR, Chapter 5, as
15 follows: Preliminary matters; petition -- presentation by the
16 petitioner -- in this case, I believe it's CFSA -- and then we
17 will have report of other government agencies; report of the ANC;
18 testimony of organizations and individuals, each -- testimony of
19 organizations and individuals -- organizations, five minutes, and
20 individuals, three minutes, respectively; then we will hear from
21 those who are in support, opposition, and undeclared.

22 While the Commission reserves the right to change the
23 times limits for presentations, if necessary, it intends to
24 adhere to the time limits as strictly as possible, and notes that
25 no time shall be ceded. At this time, the Commission will

1 | consider any preliminary matters. Ms. Schellin, do we have any
2 | preliminary matters?

3 | MS. SCHELLIN: Just briefly to say, as you'll recall,
4 | the -- this was brought to us and asked to be taken up on an
5 | emergency basis, which the Commission did do January 30th, and
6 | so it was effective for 120 days or unless the Commission takes
7 | final action prior to that and does something different. Since
8 | then, the Notice of Proposed Rulemaking and the Emergency and
9 | Proposed Rulemaking was published in the D.C. Register, and so
10 | far no comments have been received to the Notice of Proposed
11 | Rulemaking for the Commission going into this hearing. We've got
12 | the OP report and so this case is ready to move forward. If the
13 | Commission decides to do so, they could proceed with final action
14 | this evening, since the proposed rulemaking has been published
15 | and referred to NCPC and the 30-day comment period has passed.
16 | Thank you.

17 | CHAIRPERSON HOOD: Thank you, Ms. Schellin, for getting
18 | us ready. Let's bring up the Director.

19 | MS. LOVICK: Excuse me. I just wanted to interject.
20 | Actually, there were some last minute comments that came into the
21 | record. So there were four comments in support that came into
22 | the record from group home organizations. Those came into the
23 | record both on the 29th and on the 30th of April. And then, in
24 | addition to that, there were three ANC letters in support that
25 | came into the record, and those -- one came into the record,

1 | like, back on April 14th, but two came into the record recently,
2 | I think yesterday -- within the last two days. So I just wanted
3 | to let you know. But all of the comments that have come in are
4 | in support. Thank you.

5 | CHAIRPERSON HOOD: Thank you. So, as I was saying,
6 | let's bring up the Director and the -- or the general counsel.
7 | And I also was going to make the comment of the additional
8 | submissions that we received. I appreciate all of those who --
9 | I really want to thank those who really -- the ANCs and those --
10 | God's Anointed Neighborhood, all those people who submitted,
11 | because I think this is a very delicate and serious issue, and
12 | these issues like this -- and I'll be frankly honest, I didn't
13 | expect to see any opposition. So, anyway, I'll just leave it at
14 | things at. I probably shouldn't have said that, but I never
15 | expected to see that in a situation like this. So, anyway, let's
16 | bring up the Director -- I think the Director, Director Trice,
17 | and I'll let you all introduce yourselves. You're all in the
18 | room together. Good afternoon. You may begin when you're ready.

19 | MS. TORRES TRICE: Good afternoon. My name is Interim
20 | Director Tanya Torres Trice for D.C. Child and Family Services
21 | Agency. Here with me I have Desiree Minor, I have Nicola Gray
22 | and Marianna Abraham, all with CFSA. And, with that, if there
23 | are no -- if there's no opposition, I'll begin with my testimony.

24 | CHAIRPERSON HOOD: Go right ahead.

25 | MS. TRICE: Good afternoon, Commissioners. I am Tanya

1 Torres Trice, Interim Director of the D.C. Child and Family
2 Services Agency. Joining me is Desiree Minor, our Facility
3 Licensing and Relicensing Supervisor, who spearheaded this
4 proposed amendment.

5 First, we extend our sincere gratitude to the Zoning
6 Commission for your unanimous emergency approval for this vital
7 text amendment, allowing CFSA to continue serving our older
8 foster youth without interruption. We would also like to thank
9 the Office of Planning, specifically, Maxine Brown-Roberts, for
10 preparing a very comprehensive and thorough report and for the
11 recommendation supporting our request for the text amendment.

12 CFSA requests an amendment to the definition of "Youth
13 Residential Care Home", Section 100.2 of Subtitle B of the zoning
14 regulations, to explicitly include foster children under the age
15 of 21 within the definition of "child". CFSA is responsible for
16 the care and placement of the District's foster children until
17 they achieve permanency, leave care, or turn 21. We prioritize
18 kinship and foster home placements, recognizing their crucial
19 role in a child's well-being. Our comprehensive placement
20 options also include group homes tailored for various needs, such
21 as therapeutic support, pregnant and parenting teens, and youth
22 with developmental delays.

23 The need for the zoning amendment became apparent in
24 2023. Previously, the Department of Buildings, or DOB, issued
25 letters permitting CFSA to license group homes from foster youth

1 up to age 21. However, in 2023, the DOB clarified that they
2 could only issue these letters for facilities serving individuals
3 under 18, citing the current zoning definition of Youth
4 Residential Care Home. This discrepancy prevents CFSA from
5 licensing essential group homes for foster youth over 18, despite
6 the Youth Residential Facility Licensure Act explicitly allowing
7 licensure up to age 21. Without DOB zoning approval, we cannot
8 license these homes. Failure to amend the zoning definition will
9 create a crucial shortage of placements for our older foster
10 youth, a need that cannot be met through other housing options.

11 CFSA currently contracts with eight group home
12 providers, all of whose contracts are expiring this year. While
13 emergency regulations provide a temporary solution, allowing us
14 to continue these contracts, only one has renewed, two are
15 extended to August of 2025, and the remaining five will expire
16 later this year. Our group homes are essential and are operating
17 at close to a hundred percent capacity, underscoring their vital
18 role in our placement rate. Losing these homes would displace
19 49 vulnerable foster youth, which would disrupt their sense of
20 stability and overall well-being, leading to further emotional
21 and behavioral challenges, academic difficulties, and put them
22 at a greater risk of negative outcomes.

23 And, in conclusion, the proposed text amendment is
24 crucial to CFSA's ability to provide stable and supportive living
25 arrangements for our older foster youth. By aligning the zoning

1 definitions of "child" with the Youth Residential Facility
2 Licensure Act to include those under 21 in CFSA's care, we can
3 address the urgent need for appropriate placement and prevent
4 significant disruptions in the lives of young people. These
5 changes reflect our unwavering commitment to the well-being and
6 development of all foster children in our care. That concludes
7 my testimony, and, with that, we will take questions you may have
8 for us.

9 CHAIRPERSON HOOD: Thank you, Director Torres Trice.
10 Let me just say this, Vice Chair Miller. My -- I don't know
11 about anybody else's lines going in and out, so if it cuts off,
12 just keep the hearing going. This is pretty straightforward.
13 Let's -- let me go to -- let me ask -- before I do this, let me
14 go to -- no, let me do this. Let me go to Commissioner Wright.
15 You have any questions or comments?

16 COMMISSIONER WRIGHT: I do not. I think this is a very
17 important and appropriate text amendment, and I think we should
18 move forward with it, so I'm satisfied with the information that
19 I have.

20 CHAIRPERSON HOOD: Okay. Commissioner Imamura,
21 questions or comments?

22 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. Yes.
23 Thank you, Mr. Chairman. I'm in agreement with Commissioner
24 Wright. This is something that's important that we need to take
25 care of swiftly, and there's a exigent need here, so I'm prepared

1 to vote in support.

2 CHAIRPERSON HOOD: Okay. And Vice Chair Miller.

3 VICE CHAIR MILLER: Thank you, Mr. Chairman, and thank
4 you to Director Torres Trice and Desiree Minor and your team for
5 bringing this issue forward, which, I agree with my colleagues,
6 needs to be addressed. I'm glad we did address it on an emergency
7 basis earlier, and hopefully there will be no disruption in the
8 provision of these services to the older youth in your care.
9 Thank you.

10 CHAIRPERSON HOOD: Okay. Commissioner Stidham.

11 COMMISSIONER STIDHAM: I am also in agreement with the
12 comments already made and prepared to move forward.

13 CHAIRPERSON HOOD: Okay. I don't have any comments as
14 well. I agree with all of my colleagues. I don't want to jinx
15 us and say that this is one of the easiest cases I have had,
16 because the next one will be terrible, so -- I shouldn't say
17 that, but I just have -- I just have to do it. But, anyway, I
18 want to commend you all -- CFSA for all the work that you all do
19 for the residents of the District of Columbia.

20 Let's see if we have -- so we do have some reports. As
21 Ms. Lovick and Ms. Schellin had mentioned earlier, we do have
22 some other reports, and all of them were favorable. Every last
23 report that we have in this docket was favorable, as needed --
24 as we know is needed for the city. Do we have any other government
25 reports? Let me ask you that, Ms. Schellin. Do we have any

1 other -- other than what we already have in the record, and I
2 can go through them, but there's no need. I think the record
3 speaks for itself. Okay. Let me just keep going. All right.
4 Do we have anyone here signed up here to testify in support,
5 opposition, or undeclared, Ms. Schellin?

6 MS. SCHELLIN: Let me check, one second, if there's
7 anybody. I think it was just the petitioner's team, but let me
8 double-check. Director Trice and Ms. Minor; they were the only
9 registrants. That's it.

10 CHAIRPERSON HOOD: Okay. With that, we have no one
11 here to testify. We have a bundle of submissions in the record.

12 VICE CHAIR MILLER: Are we going to hear from the Office
13 of Planning or no?

14 MS. SCHELLIN: Yeah, that was the only other person was
15 the Office of Planning, Maxine Brown-Roberts.

16 CHAIRPERSON HOOD: Oh, it was going so good. I'm sorry,
17 Ms. Roberts. Let me come back. I'm ready to roll with it. Ms.
18 Roberts.

19 MS. SCHELLIN: Okay. Go ahead.

20 CHAIRPERSON HOOD: Thank you, Vice Chair.

21 MS. BROWN-ROBERTS: Good evening, Mr. Chairman and
22 members of the Commissioner. And I will keep it short. We are
23 supportive and -- of the proposal, and we recommend approval and
24 stand on the record -- the OP report that is in the file. Thank
25 you, Mr. Chairman.

1 CHAIRPERSON HOOD: Thank you, Ms. Brown-Roberts. And
2 definitely I do not -- never want to overlook you, and we
3 appreciate the great support and all the work done in working
4 with CFSA as well, so thank you. Any questions of the Office of
5 Planning, anybody?

6 (No response.)

7 CHAIRPERSON HOOD: Okay. All right. So we don't have
8 anyone here to testify, and thank everyone for all the work you
9 put into it. Let me ask my colleagues -- I think this is pretty
10 straightforward. Let's go ahead and I'll obtain a motion, if
11 somebody would like to make one.

12 COMMISSIONER IMAMURA: I'll make the motion.

13 CHAIRPERSON HOOD: Sure.

14 COMMISSIONER IMAMURA: I move that the Zoning
15 Commission approve Zoning Case Number 24-19, D.C. Child and
16 Family Services Agency, Text Amendment to Subtitle B, Section
17 100.2.

18 VICE CHAIR MILLER: I second that.

19 CHAIRPERSON HOOD: Okay. It's been moved and properly
20 seconded.

21 VICE CHAIR MILLER: I just wanted to know, you -- I
22 think you did mention the three ANCs, and Ms. Schellin did as
23 well. I just -- I don't know if we said which ones they were.
24 There was 5B, 7E, and 4D that each submitted letters of support.
25 I just wanted to make sure the public knew that.

1 CHAIRPERSON HOOD: Well, Vice Chair, since you
2 mentioned the ANCs, now you need to mention the rest of them that
3 all submitted us a letter.

4 VICE CHAIR MILLER: I'm not sure -- yes, they all
5 submitted a -- those three submitted a letter. I'm not aware of
6 the fourth one, if you have a fourth one.

7 CHAIRPERSON HOOD: It's quite a few. That's why I was
8 trying -- God's Anointed New Generation, which is called
9 "G.A.N.G." --

10 VICE CHAIR MILLER: Oh, that's groups. Okay.

11 CHAIRPERSON HOOD: Yeah, which is called "G.A.N.G.".
12 Because one thing we don't want to do is not let people know that
13 people took time to submit a letter, especially in a situation
14 like this, and we appreciate it. Let me also mention -- let me
15 wait for my files to open up -- Exhibit 24. It's a letter in
16 support. And my file has not opened up. Ms. Schellin, can you
17 help me with who submitted that?

18 MS. LOVICK: It's Sasha Bruce.

19 CHAIRPERSON HOOD: That's Exhibit 22. 24. Is that
20 Sasha Bruce too, 22 and 24?

21 MS. LOVICK: Oh, 24.

22 CHAIRPERSON HOOD: Well, we're going to call all their
23 names out. The Vice Chair started this, so we're going to call
24 everybody's name.

25 MS. LOVICK: Sorry, I don't -- I'll open it. Hold on.

1 I have that --

2 VICE CHAIR MILLER: I have them here, if you want me
3 to.

4 MS. LOVICK: I have them too. It's 22 -- well, 22,
5 Sasha Bruce; 24 is Maximum Quest Residential Care; 26 is God's
6 Anointed New Generation; 27 is Umbrella Therapeutic Services.
7 And there was also, I neglected to mention, a personal testimony
8 from a gentlemen, who was a resident of a group home, named
9 Kenneth Jenkins, and that's at Exhibit 23.

10 CHAIRPERSON HOOD: Thank you. And I will tell you,
11 Mr. Jenkins' testimony really touched us. I'm sure when we read
12 stuff like that, it really touches us. So I want to make sure
13 that -- on the record that everybody knows we appreciate them
14 taking time to submit a letter out of their busy schedules, so
15 we really appreciate it. That's why I wanted to call their names
16 out. All right. So we have moved and properly seconded. Any
17 further discussion?

18 (No response.)

19 CHAIRPERSON HOOD: Not hearing any, Ms. Schellin, would
20 you do a roll call vote please?

21 MS. SCHELLIN: Commissioner Imamura.

22 COMMISSIONER IMAMURA: Yes.

23 MS. SCHELLIN: Commissioner Miller.

24 VICE CHAIR MILLER: Yes.

25 MS. SCHELLIN: Commissioner Hood.

1 CHAIRPERSON HOOD: Yes.

2 MS. SCHELLIN: Commissioner Wright.

3 COMMISSIONER WRIGHT: Yes.

4 MS. SCHELLIN: Commissioner Stidham.

5 COMMISSIONER STIDHAM: Yes.

6 MS. SCHELLIN: The vote is five to zero to zero to
7 approve final action in Zoning Commission Case Number 24-19.

8 CHAIRPERSON HOOD: Ms. Schellin, do we have anything
9 else before us on this case?

10 MS. SCHELLIN: No, sir.

11 CHAIRPERSON HOOD: Okay. Before I close this case out,
12 the Zoning Commission will meet again on May the 8th at -- for
13 our regular monthly meeting, which is May 8th on these same
14 platforms at four p.m. Again, Director Torres Trice and to the
15 team, thank you for all the work you do for the District of
16 Columbia. Keep doing the great work. Thank you. All right.
17 With that -- with that, this hearing is adjourned. Good night --
18 good afternoon, everyone.

19 (Whereupon, the above-entitled hearing was adjourned
20 at 4:18 p.m.)

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C E R T I F I C A T I O N

This is to certify that the foregoing transcript

In the matter of: Public Hearing - Case No. 24-19

Before: D.C. Zoning Commission

Date: 05-01-25

Place: Webex Videoconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.



Deborah B. Gauthier