

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

+ + + + +

ZONING COMMISSION

+ + + + +

REGULATIONS MEETING

+ + + + +

WEDNESDAY

NOVEMBER 7, 2007

+ + + + +

The Regulations Meeting of the District of Columbia Zoning Commission convened in Room 220 South, 441 4<sup>th</sup> Street, N.W., Washington, D.C., 20001, pursuant to notice at 6:00 p.m., Anthony J. Hood, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson  
GREGORY N. JEFFRIES, Vice Chairperson

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

RUTHANNE MILLER, Chairperson  
SHANE DETTMAN, Board Member (NCPC)

OFFICE OF ZONING STAFF PRESENT:

JERRILY R. KRESS Director  
SHARON S. SCHELLIN, Secretary  
ESTHER BUSHMAN, General Counsel

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER  
TRAVIS PARKER  
STEVEN COCHRAN

The transcript constitutes the minutes from the Regulations Meeting held on November 7, 2007.

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

6:08 p.m.

MR. EDWARDS: Good evening  
everybody. Thank you for being here.

My name is Don Edwards. I see a  
lot of familiar faces that I have seen at  
meetings across the years. I'm with Justice  
& Sustainability Associates, and I'm going to  
serve as your facilitator tonight.

I'm not going to have a lot of  
intense facilitation because you're really  
here for you to get an information briefing  
from the District's Office of Zoning about a  
modern technical legal infrastructure. That  
basically is a mechanism by which you as folks  
who use the zoning regulations can access  
them, hopefully in a way that is modern and  
technically in the 21st Century.

Now, this is a process that the  
briefing is basically based on a report that  
has resulted from some research and  
consultations that the Office of Zoning asked

1 to be done. So, you're going to be hearing  
2 from Mark White, who is a national consultant  
3 and a national expert on this kind of work.

4 So, what I want you to kind of  
5 understand tonight is that this briefing is  
6 organized to give you a sense of what the  
7 recommendations are going forward that the  
8 Office of Zoning is going to be considering  
9 for the next fiscal year. This is part of the  
10 Comp Plan implementation process.

11 So, I want you to know that after  
12 Mark's presentation, there's going to be a  
13 period for questions and answers. And I will  
14 facilitate that. I will come out to you in  
15 the audience with this hand-held mike. You  
16 are going to be live on television. So, you  
17 might want to be mindful of that. But we've  
18 got lots of ways to cover you in this room.

19 One of the things that we also  
20 want you to know is that the presentation that  
21 Mark is going to be making. There are copies  
22 over there. There's an agenda, also a sign-in

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1 sheet. But most importantly there's a survey  
2 that we hope you've picked up and we encourage  
3 you to fill that survey out tonight.

4 One of the things it allows us to  
5 do is get your feedback about which of the  
6 enhancements that Mark is going to be talking  
7 about really appeals to you, really addresses  
8 some of your concerns. And then, of course,  
9 if you will prioritize them as we've asked you  
10 to do on the survey, then we understand that  
11 if we make some choices, these are the kinds  
12 of things that will be priorities for you.

13 I think you all can pretty much  
14 understand what we're going to do.

15 Any questions about anything I've  
16 said so far?

17 All right. Great.

18 If not, I'm going to introduce  
19 now, Jerrily Kress, who is the Director of the  
20 District's Office of Zoning. And she, in  
21 turn, is going to introduce Anthony Hood, the  
22 Director of the Commission and we'll proceed

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1 as the agenda is outlined.

2 Thank you.

3 Jerrily?

4 DIRECTOR KRESS: Thank you, Don.

5 It's a pleasure to be here this  
6 evening and thank you for coming.

7 I'm Jerrily Kress. I'm Director  
8 of the Office of Zoning and we're very pleased  
9 to welcome you and those of you who are also  
10 at home watching our live Webcast.

11 This is the November 7th meeting  
12 of the Office of Zoning. It's our first  
13 meeting with -- for the public with our  
14 consultant and his briefing which is going to  
15 be on our consultants and their briefing which  
16 is going to be to the enhancement, to the  
17 technical and legal infrastructure as Don has  
18 just mentioned.

19 This past spring, the Office of  
20 Zoning hired Mark White of the nationally firm  
21 White & Smith so set a best practices for  
22 modernizing the technical and legal

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1 infrastructure of our existing zoning  
2 regulations.

3 He will also work with us to think  
4 through which explanatory materials and other  
5 enhancements will make the zoning process more  
6 efficient, effective and make it more user  
7 friendly to access. And that is a major goal  
8 that we're seeking in our work.

9 We're looking for essentially the  
10 best house in which to put our new zoning  
11 regulations.

12 The presentation and its  
13 accompanying reporting, the full presentation  
14 and it's accompanying report, will be  
15 available on our website later this week.  
16 Hopefully, we'll put it up tomorrow. And  
17 we'll be handing if you haven't already picked  
18 it up. You heard Don speak to the survey  
19 form. We really would like you to -- and we  
20 want your feedback before we proceed further  
21 on which kinds of things you find would be --  
22 you think you would find to be the most

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1 helpful in using our zoning regulations.

2 I would like to take just one  
3 moment before turning this over to the Chair  
4 of our Zoning Commission, Mr. Hood, to  
5 introduce those people who are here with us  
6 tonight. I would just like to -- Jennifer, if  
7 you would kind of raise your hand. She's the  
8 Deputy Director of OP and Travis parker who is  
9 also with her tonight are working on the  
10 zoning regulations rewrite and the Comp Plan.

11 I heard Steve Cochran just came  
12 in. Must have missed him. Nyambi. Nyambi  
13 who is our technical person here. If you  
14 might wave? For any of you who have questions  
15 or concerns about our website or things you'd  
16 like to see, use this as your time to talk to  
17 our staff about how you may wish to see our  
18 website changed to be more useful to you. The  
19 things that you might feel are helpful to you.

20 At my far left is Esther Bushman  
21 who has been the Project Manager for our  
22 consultants on this phase of work. And, of

1 course, none of you know Sharon Schellin, who  
2 happens to be our secretary of the Zoning  
3 Commission and she's here with us.

4 And to my far right is Ruthanne  
5 Miller who is our Chair of the Board of Zoning  
6 Adjustment.

7 And now it's my distinct pleasure  
8 to introduce Mr. Anthony Hood. And as most of  
9 you know, Mr. Hood has served on the  
10 Commission since May of 1998. And so I give  
11 you our Chairman, Mr. Hood.

12 CHAIRPERSON HOOD: Thank you, Ms.  
13 Kress.

14 Let me deviate from my remarks  
15 which I'm sure that everybody has probably  
16 printed them. But let me deviate from my  
17 remarks and also mention that we have Mr.  
18 Shane Dettman from the National Capital  
19 Planning Commission in the audience who serves  
20 on the Board of Zoning Adjustment. If you  
21 would just wave your hand too.

22 DIRECTOR KRESS: Oh, I'm sorry.

1 CHAIRPERSON HOOD: Okay.

2 Now, to my prepared remarks.

3 Thank you all for coming to  
4 tonight's presentation. The Zoning Commission  
5 is very pleased to share the find of OZ's  
6 consultant with the public and to get your  
7 feedback.

8 I feel personally fortunate to be  
9 Chairman of the Commission as the city moves  
10 to implement its new Comprehensive Plan, in  
11 which I know a lot of people -- and I'm  
12 deviating. A lot of people have worked very  
13 hard and long on presenting that plan. The  
14 Council, community members and such,  
15 businesses and the like in the design and  
16 build a technical and legal infrastructure for  
17 its forthcoming revised zoning regulations.

18 My fellow commissioners and board  
19 members and I feel it is both an honor and a  
20 responsibility to serve as commissioners. We  
21 volunteered for that responsibility because we  
22 really do want to make a real and lasting

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1 contribution to our own communities as well as  
2 to the greater metropolitan region.

3 We feel that as commissioners we  
4 can make a difference by showing that the  
5 zoning playing field is level and fair. And  
6 I'm going to read that again because that is  
7 key to me and even after I'm long gone from  
8 the Commission I'm sure that this will still  
9 be in place.

10 We feel that as commissioners we  
11 can make a difference by showing that the  
12 zoning playing field is level and fair and  
13 that the needs of all citizens, community  
14 groups, elected officials, business people,  
15 attorneys, architects, developers are all  
16 heard and duly noted by the Commission and the  
17 Board of Zoning Adjustment.

18 On behalf of both the Commission  
19 and the Board I would like to thank Jerrily  
20 and her staff for stepping up to the plate to  
21 get our modernization project started. We  
22 look forward to hearing from you and other

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1 stakeholders as we proceed. I want you to  
2 know that with your input and support our  
3 nation's capitol will be vanguard of planning  
4 and zoning for the foreseeable future.

5 And let me also note that we've  
6 been joined by the Vice Chairman of the Zoning  
7 Commission, Mr. Greg Jeffries. And I  
8 especially want to thank everyone for their  
9 attendance tonight and especially I drilled  
10 last night in a meeting. And I don't want yo  
11 to wave your hand. I appreciate you coming.  
12 Even though you wave your hand I know who you  
13 are and I appreciate everyone's cooperation  
14 and participation in this process.

15 And you've heard enough for us, so  
16 now I would like to introduce Mr. Mark White  
17 from White & Smith, LLC, Planning and Law  
18 Group.

19 Thank you. Thanks again for  
20 coming.

21 MR. WHITE: I appreciate everybody  
22 coming out tonight to hear what we have to say

1 about a re-engineering study. I think that  
2 says volumes about the public here and how  
3 engaged and involved you are in zoning issues.

4 What we're talking about in this  
5 study essentially are way to make the zoning  
6 regulations easier for people to use. This is  
7 not a new issue. What I have up on the screen  
8 is the very first finding of a zoning study  
9 that was done for the District back in 1954.  
10 It's very interesting what its first finding  
11 is, that the existing zoning regulations are  
12 unnecessarily complicated, difficult to  
13 administer, confusing to the public and  
14 unrelated to the Comprehensive Plan.

15 Does that sound familiar to anyone  
16 here? I mean, this is a very common issue  
17 that communities across the country are  
18 struggling with. And the difference between  
19 now and 1954, there are many of them. But we  
20 have new technology. But we also have new  
21 ways of doing things, new ways of packaging  
22 regulations, new ways of writing regulations

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1 that nobody thought of back then or thought  
2 they couldn't do because zoning regulations  
3 are legal documents.

4 I've been writing -- I'm an  
5 attorney and a city planner. I've been  
6 writing regulations for 18 years. And I can  
7 tell you the number one request I get anyway  
8 I write regulations is to make them easy for  
9 anyone to understand. To make them clear, to  
10 make them user friendly is probably the single  
11 most frequent comment and request I get  
12 anywhere in the country.

13 So, I'm going to talk today a  
14 little bit about where we are, where we've  
15 been in this study and I'm going to talk about  
16 a bench-marking study. We compared what we're  
17 doing here with three other jurisdictions  
18 around the country that have done different  
19 things to include their technical and legal  
20 infrastructure. And then I'm going to go  
21 through a summary of the enhancements that  
22 we've identified that jurisdictions around the

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1 country are using.

2 We're responding in terms of how  
3 we got here and why and how we're talking  
4 about this issue.

5 One is the Zoning Act. The zoning  
6 regulations are a legal document. They're the  
7 District's authority to govern -- dictate the  
8 use of somebody's property, to dictate an  
9 application process, to impose design  
10 standards, whatever. All of that has to flow  
11 from the zoning authority the District has  
12 from the Zoning Act.

13 One thing that makes regulations  
14 difficult to understand is that often they're  
15 not amended comprehensively and that's what  
16 the District is going to be doing. That's the  
17 effort the Office of Planning is leading over  
18 the next couple of years is now that we have  
19 new Comprehensive Plan which is the District's  
20 fundamental statement of land use policies,  
21 we're going to look at all these regulations  
22 together substantively and they're going to

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1 come up with a new package of regulations.

2 And what we have now and what we  
3 have in most cities is regulations that have  
4 been adopted piecemeal to address single  
5 issues at different point in time and they're  
6 all plugged in to this framework of the zoning  
7 regulations and this codification and things  
8 don't always hang together well.

9 The codification structure can be  
10 confusing for people. Here in the District  
11 the regulations -- you'll find the regulations  
12 in different places. I'm going to talk about  
13 that in a minute.

14 But another reason and we're not  
15 just reacting to problems, we're also seizing  
16 opportunities. We're look at what other  
17 communities around the country have done to  
18 make the regulations easier to understand and  
19 more accessible to the general public.

20 So, what are the zoning  
21 regulations? Well, officially the regulations  
22 consist of two things. One is, the official

1 codification that you find either on the fifth  
2 floor that you can buy in printed form or on  
3 the DCMR website which is maintained by the  
4 Office of Documents. That's supplemented with  
5 individual rulemakings that you find in the  
6 D.C. Register.

7 I can't imagine how hard it must  
8 be for somebody who is not an attorney who  
9 does this every day to try to find out what  
10 the latest state of the law is when you have  
11 a zoning case that you're interested in. But  
12 that's -- those two things together comprise  
13 the official zoning regulations.

14 Substantively, the regulations  
15 consist of text that describe the standards  
16 that apply to development and the zoning map  
17 that divide the District into districts to be  
18 redundant.

19 And then on top of the codified  
20 regulations, there are contested case orders  
21 where the Board of Zoning Adjustment or the  
22 Zoning Commission makes official

1 interpretations of language in the  
2 regulations. There's administrative  
3 interpretations by the Zoning Administrator  
4 who lives in the Department of Consumer and  
5 Regulatory Affairs. And then there's informal  
6 publications that can be done and it can  
7 officially interpret regulations.

8 And I forgot to mention there's  
9 also court cases that can interpret  
10 regulations. so, it is good for people to have  
11 an idea, not only of what's written down in  
12 the code but also how that code has been  
13 applied and interpreted in different  
14 situations over time.

15 But we're not here because  
16 everything is broken. There are some --  
17 actually -- and we're not here because  
18 everything needs to be changed. We want to  
19 make that clear from the start.

20 There's some good things about  
21 your existing regulations as much as people  
22 complain about them and there's some reasons

1 to carry some things forward.

2 I can tell you many familiarity.  
3 There's two things people don't like anywhere  
4 I go. They hate their existing zoning  
5 regulations and they hate anything that  
6 changes their existing zoning regulations.  
7 So, even if you don't like the way its  
8 organized, if you've used it for years and  
9 years, at least by now you've learned where to  
10 find stuff. So, if we reorganize the deck  
11 chairs, some people are going to get a little  
12 upset because now they have to figure out  
13 where everything is all over again.

14 So, that is one reason maybe to  
15 keep things the way they are. There are also  
16 many reasons to change the way the regulations  
17 are structured.

18 The regulations have an index. A  
19 lot of zoning code and zoning regulations  
20 aren't indexed. That's a good tool to help  
21 folks find information. And there's ways to  
22 change it and ways to improve it that I'll

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1 talk about later.

2 The regulations are actually laid  
3 out fairly well in terms of putting the  
4 District regulations in one place and your  
5 administrative procedures in another and  
6 consolidating things. They're not the worst--  
7 they're certainly not the worst I've ever seen  
8 on that, although again there's ways that  
9 those can be improved as well.

10 And there's also good staff here  
11 in all the agencies. The Office of Zoning, I  
12 know, has folks who are very adept at  
13 technology and I'm going to talk about what  
14 they're doing right now with the zoning maps.

15 So, throughout the District there  
16 are good folks who have done a good job of  
17 putting things together. In fact, there is a  
18 copy of the zoning regulations on the Office  
19 of Zoning's website which you can access in  
20 PDF format if you don't like the DCMR format.  
21 So, they've already given you different ways  
22 to access information.

1                   We did a bench-marking study when  
2 we started just to compare what other  
3 jurisdictions are doing. We selected three  
4 cities that are doing different things to  
5 bring the regulations to the general public to  
6 improve their technical and legal  
7 infrastructure.

8                   One was New York City and the main  
9 reason why we picked New York City and I have  
10 a few slides of this, it has a wonderful  
11 zoning handbook that they've done. They did  
12 this in house. It's been very well received.  
13 It's a very user friendly summary of how the  
14 zoning district regulations work.

15                   The actual zoning regulations are  
16 about three volumes that are about four feet  
17 tall. They are about 1,000 pages long and  
18 this is their zoning handbook, a much better  
19 read. Very richly illustrated with  
20 photographs, color images, orthodiagrams and  
21 things like that.

22                   Milwaukee has a computerized

1 zoning regulation that's on their website that  
2 has very up-to-date searching capabilities and  
3 graphic enhancements and so forth.

4 San Antonio wrote a unified  
5 development code several years back which has  
6 assembled most of its land-use regulations in  
7 one cover and has other enhancements as well  
8 like italicized purpose statements that I'll  
9 talk about in a second.

10 So, where we're going with again  
11 is to make -- to find ways, to find tools to  
12 make the zoning regulations, which is a legal  
13 document, something that doesn't look so much  
14 like a legal document, so that people like me  
15 will no longer be your over-lords and seers  
16 when it comes to interpreting the zoning  
17 regulations. You'll be able to do a lot of  
18 this stuff yourself and have more confidence  
19 if you're a member of the general public in  
20 interpreting and applying the regulations  
21 yourself.

22 We want to improve access to

1 information. We want to level the playing  
2 field as Chairman Hood said so that, again,  
3 the attorneys, the architects and engineers  
4 and the professionals aren't the only people  
5 who know what's going on.

6 And we also want to improve  
7 transparency by creating good linkages, for  
8 example, between individual District  
9 regulations and the policies in the District's  
10 new Comprehensive Plan because that will  
11 undoubtedly change some of the substance of  
12 the regulations.

13 We're not talking about substance  
14 tonight. That's not what we're doing with the  
15 zoning re-engineering process. That's being  
16 handled by Office of Planning. But when the  
17 regulations are written, it's a good idea to  
18 create that linkage between the plan and the  
19 regulations so that the people who use the  
20 regulations know why they're there and no why  
21 particular types of land-use decisions are  
22 being made the way they are.

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1           Now, I'm going to talk about  
2           enhancements. There's two different types of  
3           enhancements we're going to address.

4           One category of enhancements is  
5           designed to make the regulations easier to use  
6           and understand. Once you've identified the  
7           language that you're looking at, these are  
8           ways to make that language clearer to you.

9           The second type of enhancements  
10          are ways to improve the public's access to  
11          information. If you have a particular zoning  
12          case, these are ways to help you research  
13          what's going on, what the rules of the game  
14          are and how those rules have been interpreted  
15          over time by different agencies.

16          So, in terms of ease of use, we're  
17          going to talk about handbooks, document  
18          design, explanatory materials, modern e-  
19          government technology, graphics and just good  
20          writing style.

21          In terms of the zoning handbook,  
22          again, this is something that would be done

1 informally by the Office of Zoning. It  
2 doesn't require a rule-making. It can be  
3 accessible both electronically on the Office  
4 of Zoning or the Office of Planning's website  
5 or through a CD distribution. And it can be  
6 made accessible through print.

7           Interestingly, this zoning  
8 handbook, the New York City zoning handbook is  
9 only accessible as a print copy. They don't  
10 make it available on line, which is  
11 interesting. But it's important and we've  
12 been mindful as we've gone through the process  
13 that there are folks out there who aren't as  
14 adept at technology as some of us urban  
15 planners who use it every day. There's people  
16 who either have never bought a computer, can't  
17 afford a computer or just never been part of  
18 the whole computer technology way.

19           We want to make sure that the  
20 regulations are accessible to that -- that  
21 segment of the public as well.

22           The zoning handbook explains

1 what's in the zoning regulations. They're not  
2 the official zoning regulations themselves,  
3 but they explain an alternate, user friendly  
4 in plain English what those regulations mean.

5 And it's designed to be user friendly by  
6 virtue of its layout and its document design  
7 is something that's attractive and easy for  
8 folks to read and use.

9 There are different ways to design  
10 the document just by using wide space,  
11 assembling information that's repeated over  
12 and over throughout a document into simple  
13 tables, diagrams that show you how things  
14 work.

15 Form based zoning and I know  
16 that's a hot issue here is one example just in  
17 terms of designing the document. Forget about  
18 what the form-based code actually says. We're  
19 not talking here about getting rid of  
20 regulated uses or things like that.

21 There's a lot of lessons to be  
22 learned from the whole movement of form-based

1 zoning just to make documents readable that  
2 apply equally to conventional zoning  
3 regulations. And we're making no pre-  
4 conceived conclusion about where the District  
5 is going to end up in terms of the substantive  
6 re-write here. But we can apply those same  
7 principles in writing any set of regulations,  
8 again, using a lot of wide space, embedding  
9 the graphics with the text.

10 I've seen some regulations where  
11 all the graphics are an appendix so you got to  
12 flip back and forth between the regulation --  
13 the regulatory text and the appendices to put  
14 the two together.

15 Blending the two types of --  
16 blending graphics and blending text is a good  
17 technique to make the regulations  
18 understandable.

19 And, again, using the italicized  
20 purpose statements. This is a cut out from  
21 San Antonio's code where the purpose  
22 statements are italicized for several reasons.

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1 One is the purpose statements are not a  
2 substantive standard. They're not something  
3 to give you the authority as a regulation  
4 agency to say yes or no to a particular  
5 development. The purpose statement is there  
6 to explain why the regulations read the way  
7 they do.

8 The second thing the purpose  
9 statements do in this set of regulations and  
10 in San Antonio's regulations is like the  
11 District they revised their codes shortly  
12 after adopting a new Comprehensive Plan.  
13 There they call it their Master Plan.

14 The purpose statements here are  
15 all linked even by policy number to the  
16 policies in their Master Plan. So, when  
17 you're reading those regulation in the  
18 industrial district or a set of urban design  
19 standards or parking standards or whatever,  
20 there are clear linkages between those  
21 standards and the policies and the plan so  
22 that the public knows why they're there, so

1 applicants know why they're there and decision  
2 makers know why they're there.

3 This is a cut out from New York's  
4 Zoning Handbook. You can see here they use a  
5 lot of different graphic presentation styles  
6 to make the regulations transparent to the  
7 general public. Everything from photographs  
8 of real neighborhoods that exist in these  
9 various districts, orthographic diagrams with  
10 the little cartoon, balloons that explain and  
11 show how the dimensional standards work. Then  
12 they assemble a lot of text again in the  
13 tables and the table structure.

14 So, you have on one page with the  
15 floor area ratio, the front, side and rear  
16 setback and the other District standards say  
17 and what they provide.

18 Another way to use explanatory  
19 materials, the zoning handbook is one type.  
20 There are other types. This one is from Fort  
21 Collins, Colorado, where these materials show  
22 to actually design a real project using the

1 standards in the zoning regulations. And that  
2 helps not only the general public, but an  
3 applicant who just wants to know what the  
4 District wants of them.

5 What are different ways I can go  
6 about complying with the regulatory language  
7 that's in front of me today? And that can  
8 include illustrations, diagrams and other  
9 materials. And, again, it can have -- also --  
10 it can also use alternate ways to design the  
11 layout of the document as well.

12 E-Governments is a hot buzz word.  
13 It's been around for about 10 years now. It  
14 talks about different ways of bringing and  
15 making accessible different function of  
16 Government to the general public using modern  
17 computer and Internet technology.

18 In the area of zoning regulations  
19 we see this a lot by, for example, using  
20 hyperlinks that tie different parts of a  
21 zoning regulation together, providing enhanced  
22 searching capability, linking graphics, not

1 just still graphics, but some that use motion  
2 and other types of hyperlinks within the  
3 graphics themselves. And also providing ways  
4 for people to provide comments.

5           There could be a little comment  
6 box that somebody could click where they could  
7 tell the Office of Zoning of the Office of  
8 Planning what it is they like or don't like  
9 about a particular regulation. And the  
10 agencies can use that and compile that data  
11 over time and find other ways to improve the  
12 regulations. Any set of regulations can be  
13 improved.

14           So, again, this includes things  
15 like maps where you could go to your square or  
16 your lot and find out exactly what information  
17 you want about it. It can link to things that  
18 aren't even part of the zoning regulations.  
19 You could go to your square or your block and  
20 pull up census data or other types of data  
21 about what's going on.

22           In the area os zoning regulations,

1 this is from a township in Pennsylvania where  
2 they use buttons to help the user move around  
3 the document. The blue text, which doesn't  
4 show up very well on the screen is a hyperlink  
5 to a defined term. So, instead of flipping  
6 through a 500-page document to find the  
7 definition, you simply click on the hyperlink.  
8 It takes you right to the definition. It's a  
9 lot quicker than scrolling through it in print  
10 format.

11 This screen shot is from a  
12 Milwaukee computerized zoning ordinance that  
13 was part of our bench-marking study where they  
14 have on the left-hand side a table of contents  
15 that you can expand or contract by hitting or  
16 clicking the plus or minus buttons and that  
17 can take you right to a section. Again, it  
18 makes it a lot easier and quicker to find your  
19 way around the regulations.

20 And you can also hit these buttons  
21 either to go back to the beginning of the  
22 document, browse the document, search, find

1 sections that you use over and over again.  
2 You can mark those as favorites. You can go  
3 straight to the zoning map and so forth. And  
4 then there's a user guide as well.

5 This also has advanced search  
6 features. One thing I like about this is you  
7 can type a search term or a phrase. It not  
8 only pulls up the sections of the ordinance  
9 that it refers to but also has in different  
10 font style and a different font color what  
11 part of the zoning regulations it comes from.  
12 So, you'll know -- it gives you some sort of  
13 mental queue as to whether you want to click  
14 there and go and read those regulations. So,  
15 it's a way to help people get to the  
16 information they need much more quickly.

17 And they also have a good use  
18 matrix here where again instead of repeating  
19 the list of permitted uses in each district  
20 over and over which is what the District does  
21 today in its zoning regulations. It's kind of  
22 the conventional older style of writing -- set

1 of zoning District regulations. They've  
2 assembled all this in a matrix which has,  
3 again, a code here which is in a different  
4 font style and outlined differently. We can  
5 tell whether it's permitted by right,  
6 permitted by conditions or not permitted at  
7 all. Then you can click here and go to a  
8 definition of what the use is.

9 So, it's a good way of scrolling  
10 back and forth and linking back and forth  
11 between the document.

12 Again, there's two companies in  
13 the country that have done this outside of the  
14 normal national codifier process. These two  
15 companies here Lane Kendig, his company Kendig  
16 Keast a collaborative and then the VIC Group  
17 out of Pennsylvania has specialized in  
18 applying computerized zoning ordinances and  
19 applying these techniques to zoning and land  
20 use regulations specifically. So, it's an  
21 emerging field here.

22 This screen shot is from San

1 Antonio's code when it was first adopted. It  
2 was a series of portable document file or  
3 Adobe PDF downloads. They eventually codified  
4 it with the rest of -- like the rest of their  
5 municipal code with Municode.com.

6 There's a number of national  
7 codifiers. AMLegal is the one the District  
8 uses. San Antonio uses Municode.com. Again,  
9 it's not as nice a presentation as the VIC  
10 Group or the one that Kendig Keast did for  
11 Milwaukee, but they do have some good search  
12 features.

13 You can do just a simple word  
14 search. You can do a Boolean Search where you  
15 can look for one word within so many words of  
16 another word and find things.

17 San Antonio also used matrices not  
18 only for uses but also for dimensional  
19 standards instead of, again, repeating things  
20 over and over. In the District regulations,  
21 they assembled it all into a single table.

22 CD technology is another example

1 of how we can use the computers to make  
2 regulations accessible. This is one. It's  
3 Pens Scapes. It's a model code distributed by  
4 the Hamer Center for Community Design at the  
5 University of Pennsylvania.

6 This shows different ways to do  
7 this as well. It's somewhat dated now. But,  
8 again, they have an initial screen that shows  
9 you in visual format the different types of  
10 the code. So, if you want to look for natural  
11 resource preservation standards, for example,  
12 you click on the little puzzle piece here that  
13 has a nice picture of the wetlands.

14 If you want to look for urban  
15 design standards, you click on the urban  
16 street over here and that will take you to a  
17 set of urban design standards. It has the  
18 table of contents structure on the left-hand  
19 side. It has defined terms that you can click  
20 and a pop-up box will come right up and pull  
21 out the definition for you.

22 This is really neat too along with

1 the standards themselves, it has nice  
2 orthographic images to show what type of  
3 development emerges when you apply the  
4 standards. And it has little queues like this  
5 that you can click on and then up will pop a  
6 more refined imagine, a closer in image of a  
7 street that may reflect the setback and design  
8 standards that are explained in the text on  
9 the left-hand side. So, it's a really good  
10 tool to use.

11 And, again, here you can click on  
12 the outline. Like Architectural Design  
13 Standards, go here to more refined topics and  
14 then it will take you to something with text  
15 and different types of graphics with  
16 illustrated commentary. And also examples of  
17 developments around the country that have  
18 incorporated the standards they've talked  
19 about.

20 So, that's a way, you know, that's  
21 an example of how documents can be laid out  
22 digitally.

1           In the area of graphics, again,  
2 something we get requests for. It used to be  
3 in the good old days it was good enough to  
4 write well. But now the bar has been raised  
5 around the country. People want graphics that  
6 illustrate what these standards say. And I  
7 know why.

8           When I graduated with my law  
9 degree and masters in urban planning and I  
10 picked up my first zoning ordinance, it may  
11 well have been written in Greek for all I  
12 understood. I didn't know what this  
13 terminology meant. I hadn't applied zoning  
14 every day.

15           I can't imagine what it's like for  
16 an accountant sitting on an Advisory  
17 Neighborhood Commission picking up a zoning  
18 ordinance for the first time and trying to  
19 figure out what all these setbacks mean and  
20 especially what it looks like when you apply  
21 it.

22           Graphics are a very powerful tool

1 to explain how the regulations work. And  
2 there's a number of different types of  
3 graphics. Everything from photographs which  
4 are a very powerful, very low tech way of  
5 illustrating things. Anybody can take digital  
6 cameras and go out and take pictures of things  
7 that they like and don't like.

8 We had this discussion with the  
9 Zoning Commission. Last time they brought up  
10 a very good comment that if you're  
11 illustrating things you don't like it's good  
12 to pull those images from somewhere other  
13 than D.C. It's easy enough to make people mad  
14 as it is.

15 But certainly images of good  
16 things that the District would like to  
17 encourage and that are good state-of-the-art  
18 examples of the design standards and other  
19 standards that will be written into the zoning  
20 regulations are a very good thing to have in  
21 the zoning ordinance.

22 Planned unit images are good ways

1 to show how dimensional standards -- setbacks  
2 especially work. Cut-aways are good for  
3 right-of-way. This is -- you find a lot in  
4 subdivision regulations. Here it would work  
5 fine with building height regulations, for  
6 example, showing a minimum and maximum height  
7 and how that creates a sense of enclosure on  
8 a streetscape, for example.

9 Cutaway sections are good way to  
10 show, you know, a side view of buildings and  
11 spacing between buildings and sidewalks and  
12 other parameters. Three-D orthographic  
13 imagery. And even for procedures. You don't  
14 think of procedures as something that lends  
15 itself to graphics, but flowcharts are a type  
16 of graphic that would show you how the process  
17 start -- would start, the different things  
18 that have to be done along the way, different  
19 types of materials that have to be filed with  
20 different agencies and so forth.

21 So, there's a lot of different  
22 tools and techniques for illustrating zoning

1 regulations. And they don't have to be fancy.  
2 I mean, this is a very simple diagram of floor  
3 area ratio that shows you a FAR of 1.0 and  
4 what might look like on a site. And it's very  
5 simple. A lot of people even with my level of  
6 artistic expertise could come up with  
7 something like this.

8 Then we shouldn't forget good  
9 writing. I mean, people get very excited when  
10 they hear about graphics, but there's always  
11 room to write any document better using things  
12 like the active voice instead of the passive  
13 voice. Auditing the document for  
14 inconsistencies and redundancies and things  
15 like that and in the area of redundancies,  
16 compiling things that are repeated over and  
17 over and over throughout the regulations and  
18 the simple tables and things like that that  
19 would supplant volumes and volumes of text.

20 Incorporating white space which  
21 just give people -- relaxes people's minds  
22 visually if there's a white space as opposed

1 to crunching a bunch of text together.

2 Eliminating things that don't need  
3 to be in the ordinance, that don't really add  
4 any meaning to the ordinance and good ways to  
5 cross reference, different parts of the  
6 regulation so that they hang together.

7 Interestingly, this is one thing  
8 that I think the District actually does fairly  
9 well right now. The Office of Documents has  
10 a set of guidelines for writing the regulations  
11 that tend to be followed.

12 I was surprised at how little  
13 legalese there was in the documents. These  
14 nonsense words like forthwith and herein and  
15 thereunto and whensoever that, you know, you  
16 find that junk up a lot of regulatory language  
17 in a lot of zoning codes. You don't find a  
18 lot of that here and there is a handbook for  
19 rule-making that they -- that they have that  
20 was written in 1983 by an attorney. And it  
21 says don't use legalese. So, that tells you  
22 everything you need to know, I guess, about

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1       how regulations are written here.

2               This document or this handbook is  
3 a very, very good well-written document and I  
4 think it's something the District should be  
5 commended for.

6               But, again, there's always ways to  
7 improve the regulations.

8               One of the weaknesses of the  
9 regulations right now is there's only one  
10 graphic. And you'll find it in the District--  
11 the D.C. Register and a recent regulation that  
12 was adopted that I wouldn't have known about  
13 it if I hadn't interviewed the Office of  
14 Attorney General who actually did the graphic.

15               But that's the sole graphic right  
16 now in the zoning regulations. And I there's  
17 opportunities to do a better job with that.

18               The second set of enhancements  
19 that I'm gong to talk about are things to help  
20 people find information that they need, the  
21 legal and research enhancements. Everything  
22 from better ways to codify the regulations you

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1 have, better ways to link the zoning maps with  
2 the regulations, enhancing your definitions,  
3 improving your indexing and bringing the  
4 precedent that adds meaning to the regulations  
5 into supplemental materials that the District  
6 could produce.

7           Again, incorporating things like  
8 italicized purpose statements and official  
9 codified set of the regulations would be a  
10 dramatic improvement. But right now the one  
11 limitation we have with all these documents is  
12 even though they impose a good writing style,  
13 they don't really contemplate some of the  
14 updated document design and layout  
15 enhancements that a lot of communities use in  
16 their official codification. And that's  
17 something we may want to explore upgrading  
18 when we improve the technical and legal  
19 infrastructure.

20           Again, making these regulations  
21 accessible in their current form in both print  
22 and electronic format in a way that's

1 assembled so that the general public can find  
2 the rules easily.

3  
4 The one thing that's being done  
5 right now and Nyambi knows more about this  
6 than I do. But through the Office of Chief  
7 Technology Officer, which I think is under the  
8 Department of Redundancy Department, they  
9 actually have the zoning map on line and you  
10 can type in your address or your square or  
11 whatever and pull up the map and there's a  
12 color-coded legend and you can figure out what  
13 zoning district you're in.

14 Some communities and I think  
15 they're looking at this here already have ways  
16 where you can not only click on your address  
17 and find out what district you're in, but you  
18 can also click on that shaped file on the map  
19 or whatever comes up on the map and that will  
20 take you directly to the zoning regulations  
21 themselves or a summary of the zoning  
22 regulations, which is a very quick way of

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1 finding out what the applicable regulations  
2 are for whatever zoning case you're working  
3 on.

4 Building in annotations. This is  
5 something that's not done frequently at all.  
6 I have -- I have an electronic library of over  
7 40,000 regulations, zoning and land-use  
8 regulations from around the country and it's  
9 fully searchable. And I searched for  
10 annotations on this and only pulled up three  
11 or four jurisdictions that have annotations  
12 built into their zoning regulations.

13 So, it's not something that many  
14 communities do, but there's no reason we can't  
15 break new ground here and find ways to  
16 incorporate, link and enhance people's access  
17 to the rule-makings and the case -- the case-  
18 making and that sort -- or orders in contested  
19 cases. Official interpretations by the Zoning  
20 Administrator and so forth. So, you can click  
21 on those easily once you've read the  
22 regulations.

1           So, these can include hyperlinks  
2           to define terms as I showed earlier,  
3           references to other codes. There are numerous  
4           cross references as there should be in the  
5           regulations to Federal legislation which we  
6           can't change, but it's a good idea for people  
7           to know that it's there and where to find it.

8           Summaries of court decisions and  
9           summaries of orders in contested cases. And  
10          it's good to have summaries as well. I mean,  
11          a lot of people again who aren't practicing  
12          attorneys or practicing planners or architects  
13          would read a court case five or six times and  
14          probably not understand what it's trying to  
15          say. It's not because they're less  
16          intelligent than we are, they just don't do  
17          this every day. So, it would be a good idea  
18          to have good, clear summaries of what these  
19          court cases are saying and how they  
20          interpreted the regulations that are in front  
21          of you.

22                 You can annotate legislative

1 history. That's very common in statutes and,  
2 you know, the practicing attorneys here are  
3 familiar with WestLaw and Nexis and other  
4 research tools where you can get to the  
5 legislative history and get to summaries of  
6 court cases. There's no reason why we can't  
7 do that with our zoning regulations.

8 Then again handbooks and other  
9 references that we've explained earlier can  
10 build in summaries of how the regulations have  
11 been applied over time.

12 Definitions are something that's  
13 very critical. And one thing that's good  
14 about these regulations and I want to talk  
15 about, you know, not just ways we can improve  
16 it, but things that we do well here in the  
17 District is that one common mistake I see  
18 around the country that you don't see here is  
19 standards that are in the definitions  
20 themselves.

21 The definitions here are really  
22 definitions and the District does a very good

1 job of doing that. But they can also be  
2 improved by, for example, definitions that  
3 only apply to one second could probably be  
4 moved to that section as opposed to the  
5 definition section. Moving the definitions to  
6 the rear of the document as opposed to having  
7 it in the front.

8           Auditing the definitions to get  
9 rid of unused or unnecessary or ambiguous  
10 ones. Cleaning up definitions that are  
11 themselves ambiguous. Definitions are  
12 supposed to clarify what something means. So,  
13 if the definition itself is ambiguous you need  
14 to clean it up.

15           So, there's different ways to  
16 improve that.

17           And we can also illustrate  
18 definitions just like you can illustrate other  
19 parts of the ordinance. This one here has a  
20 very simple diagram of what different types of  
21 lots are, interior lots versus corner lots  
22 versus through lots. Those are things that

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1 are good and fairly easy and simple to  
2 illustrate. Illustrations of different  
3 development techniques and styles, for  
4 example.

5 So, tying the definitions better  
6 to the text that they relate is a good  
7 research tool.

8 And then improving the index.  
9 Right now the index relates primarily to  
10 different types of uses that are listed in the  
11 regulations. There's a number of things that  
12 can be indexed.

13 One example I like to mention is  
14 the issue of nonconforming uses. You know, if  
15 you're a land-use attorney or an urban  
16 planner, you probably know what a  
17 nonconforming use it. It's a use that is  
18 lawfully established and later on it became  
19 something that's no longer permitted in the  
20 zoning district. And it's allowed to  
21 continue.

22 Now, most people who aren't land

1 use planners or attorneys don't know what a  
2 nonconforming use is. That word is  
3 meaningless to them. So, if you're -- they  
4 would refer to it as what? Grandfathering.

5 But if you're looking for  
6 grandfathering rules in the current  
7 regulations, you're going to be looking for a  
8 long time because you're not going to find  
9 that word used in the regulations.

10 So, you know, being cagy about how  
11 we do the index and trying to find other ways  
12 that normal people who don't practice land use  
13 as opposed to us abnormal people who are  
14 steeped in this stuff on a day-to-day basis,  
15 think about and talk about and communicate  
16 these ideas would be a wonderful enhancement  
17 and a great way to help people find  
18 information.

19 And in terms of indexing uses,  
20 what I found useful in a lot of jurisdictions  
21 is looking through the list of permitted uses  
22 and comparing that to national codes that

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1 compile uses that are in existence. One is  
2 the U.S. Department of Commerce's North  
3 American Industrial Classification System.  
4 It's the NAICS.

5 The American Planning Association  
6 also has something called the land-based  
7 classification standards. It would be a good  
8 tool, I think, to go through the list of  
9 permitted uses in the District and look at  
10 other ways that are defined, other ways that  
11 are described, trying to find things where  
12 there might be gaps where a use could possibly  
13 come in for an application but it's not clear  
14 where it fits in today and tying to those  
15 national codification systems.

16 And we've done that in other  
17 jurisdictions. It has really cut down on the  
18 number of cases the Board of Adjustment and  
19 others have had to handle on interpretations  
20 because now there's a clear codification  
21 system you can go to.

22 The bottom image is an example of

1 a use matrix we did for Frederick, Maryland,  
2 just up the street, where we tied different  
3 types of uses to, again, the code that you  
4 find in the LBCS function category which is  
5 their economic activity category. The  
6 structure category and the NAICS category.

7 So, if there's not a definition  
8 listed in the regulations, there's a way now  
9 to go to these other systems and find out what  
10 they are.

11 Alexandria, across the river, also  
12 has a good example of a zoning use index where  
13 they've gone through and tied them and done a  
14 good well-designed matrix that shows where  
15 different uses are located in the different  
16 districts throughout their city.

17 And, again, codifying and indexing  
18 and tying the official codified language to  
19 the precedent that apply to the language would  
20 be a great research tool for people who use  
21 the zoning regulations here in the District.  
22 It can be everything from settled law to the

1 statutes and things that you can change. And,  
2 again, these can be red-flags. They can  
3 signal to the Zoning Commission that something  
4 really isn't working well and needs to be  
5 changed. And it can lead to a rule-making  
6 that improves the regulations. Or just ways  
7 to better work within the regulatory framework  
8 or the institutional framework that we've been  
9 dealt through the Zoning Act and other types  
10 and interpretations of Federal case law and so  
11 forth.

12 These are all things that can be  
13 codified, indexed and explained in either  
14 separate explanatory materials or the official  
15 codified version of the regulations  
16 themselves.

17 So, to summarize, two different  
18 categories of enhancements we're looking at.

19 One category to make the  
20 regulations easier to understand for those of  
21 you who aren't code junkies like me and who  
22 read this stuff every day. These are things

1 that will make them come to life for use. You  
2 can be as excited -- as excited about this  
3 stuff as I am.

4 The second is ways to help you all  
5 find the information you need. Now, again,  
6 one of the major issues we have here in any  
7 jurisdiction I work in is that the official  
8 codified version of the ordinance that you buy  
9 either up on the fifth floor or pull down from  
10 the DCMR's website may not, in fact, be the  
11 rules that are in effect today when you have  
12 a zoning case.

13 And if you're an accountant or a  
14 waitress you just don't do this stuff every  
15 day, even though you're ten times smarter than  
16 me. You don't think every day about where to  
17 go and look for this information.

18 It would be good to have this in  
19 one place, on a website where you can click to  
20 things and for any of the information you need  
21 either to make your views known in a case or  
22 to ask the people who can help you, the right

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1 kinds of questions.

2 So, with that I appreciate -- I  
3 really appreciate everybody being here and for  
4 your attentiveness and I'll turn it back over  
5 to Don and we'll handle any questions or  
6 comments you may have.

7 Thank you very much.

8 MR. EDWARDS: Great, Mark. Thank  
9 you so much for such an informative  
10 presentation.

11 I am going to come out into the  
12 audience now and if there's a question or  
13 comment that anyone would like to make, I'd be  
14 happy to get it.

15 Don't be bashful.

16 Yes? If you'll stand up and say  
17 your name.

18 MS. SMITH: Hi. Teresa Smalls  
19 Smith, how are you?

20 I have a question regarding  
21 security for the website. I mean, currently  
22 the zoning information or DC.gov website seems

1 to have a lot of glitches in it. And I  
2 understand once the zoning is complete,  
3 they'll try to create a more secure system  
4 where the information that's in there isn't  
5 tampered with or falsified in any manner  
6 whatsoever. And how would they do that?

7 MR. WHITE: That's a great  
8 question.

9 Nyambi, do you know the answer to  
10 that because I'm not a website designer?  
11 Frankly, I'm not exactly sure how they do that  
12 but there are ways to give only certain users  
13 access to the modifiable version of the HTML  
14 files that are actually posted and tied to the  
15 website. So, you have to have somebody who is  
16 control of that. They serve as kind of the  
17 gatekeepers of it is how I understand it. But  
18 Nyambi might have more information.

19 MR. NYAMBI: Well, maybe you can  
20 explain a little bit more about what sort of  
21 security you're looking for.

22 All of our documents are generally

1 in public realms the moment we get them here,  
2 so they're not -- they're not security  
3 documents per se, you know. They are  
4 available to anybody in the public.

5 And so the website the way it's  
6 designed, all the documents are on the website  
7 are available to anybody that wants them.

8 The security portion of that is  
9 more from the technical side of putting the  
10 information on there so that people can come  
11 in and make changes to the information that  
12 we've put in on the website. That -- that  
13 we're securing through network environment and  
14 all that.

15 Oh, the mike needs to be  
16 adjusting.

17 MS. SMITH: And, yes, there was  
18 one other question as soon as I can find it  
19 here.

20 Oh, with the legislative history  
21 recorded on the system, will that also include  
22 the ownership, the personal history of the

1 structure, whether it be a business, private  
2 property, etcetera?

3 MR. WHITE: That's a good  
4 question. I think you're referring probably  
5 to a -- for a rezoning case, for example. How  
6 the zoning classification has changed over  
7 time.

8 Is that what you're talking about?

9 MS. SMITH: No. Take for instance  
10 the White House.

11 It was there. It was built by  
12 Jacob somebody and all the presidents were  
13 recorded as living there. But you can't find  
14 that information anywhere.

15 So, you know, and that's  
16 supposedly in the legislative history, you  
17 know, because Congress was supposed to have  
18 put it there. But it's not there.

19 And for the presidents that did  
20 live in there that remained residents in  
21 Washington, where were their homes and how do  
22 you find them?

1           And the zoned area that they had  
2 originally moved after living in the White  
3 House, there's no record of it. So, that's  
4 the kind of thing I'm talking about.

5           MR. WHITE: I see. And I think  
6 you're using that as an example.

7           Yes. That's not what we're  
8 talking about here. Typically, the property  
9 owners themselves as part of their own due-  
10 diligence, will have a record of ownership and  
11 how things have changed over time. There's  
12 also the official recording of documents, you  
13 know, that's done separately, but that's not  
14 what we're talking about here. That's a  
15 completely separate process.

16           What could be done is that --

17           MR. EDWARDS: Let me -- let me get  
18 another question out.

19           MR. WHITE: Okay. Okay.

20           MR. EDWARDS: From someone else.  
21 Okay? We'll come back to you but I want to  
22 see if some other folks have some comments.

1                   Let's see how I can get back over  
2 here to you.

3                   If you don't mind standing up and  
4 telling us your name?

5                   MR. SOCKWELL: Robert Sockwell,  
6 WEG Architecture. Mark and I had some  
7 conversation at the beginning of his process.

8                   In the security discussion, the  
9 issue that I would be concerned about is that  
10 there would be a single source for information  
11 going into the Internet available database so  
12 that you would not have multiple agencies  
13 putting up incompatible copies of zoning  
14 documents, things like that, which would mean  
15 if I independently went to DCRA's website, I  
16 might find a copy of the zoning ordinance  
17 that's not consistent with that which on the  
18 Office of Zoning's website which did happen  
19 several years ago where the DCRA version was  
20 incorrect and I was fortunately able to get  
21 the Director of DCRA to pull it down.

22                   The other thing is that in

1 linkages with information from other databases  
2 which would be very helpful to many of us, it  
3 could be that one such as in other  
4 jurisdictions locally, one can put a piece of  
5 property into the context of the zoning  
6 ordinance a specific piece of property. It's  
7 outline shows up within the zoning map. The  
8 lot number would then link you into the  
9 information sources available to another  
10 database, which might, in fact, be that it is  
11 a historic designated lot or the structure on  
12 it is designated historic.

13 Possibly the D.C. Guide  
14 information which does something similar to  
15 what a Google Earth would do but locally could  
16 also be plugged into the associated databases  
17 that are available so that although one  
18 organization or one part of the city would be  
19 providing information for one reason, it could  
20 be cross referenced into the zoning so that  
21 people could more likely one-stop shop going  
22 into one database and linking through that

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1 into another with associated information that  
2 would be very helpful.

3 MR. EDWARDS: Mark, you got that?

4

5 MR. WHITE: Yes. Thanks, Robert,  
6 I appreciate your comments and you're helpful  
7 information you provided earlier. That's  
8 great.

9 And that's the example I showed  
10 earlier after the OCTO map of how other  
11 communities have actually done there where you  
12 click on a lot and there will be a box that  
13 pops up and there will be further linkages you  
14 can click to that will give you information  
15 about the various zoning classifications and  
16 other types of regulations that would apply.

17 MR. EDWARDS: Nyambi?

18 MR. NYAMBI: Okay. Just to  
19 explain a little bit about some of this stuff  
20 that Robert just -- again?

21 DIRECTOR KRESS: Again, for the  
22 reporter please.

1 MR. NYAMBI: My name is Nyambi  
2 Nyambi and I'm the Chief Technology Officer  
3 for the Office of Zoning. And all of the  
4 website stuff has been my responsibility and  
5 we always -- we've always ben working to  
6 improve the content as well as the security of  
7 the website.

8 A lot of this stuff that you're  
9 seeing, some of this stuff that Robert just  
10 talked about, from a city perspective, many of  
11 the agencies are getting together to have  
12 something called a Federal model and that  
13 Federal model is that it doesn't make sense  
14 for agencies that don't generate the data to  
15 be keeping some of that data and updating and  
16 so on.

17 So, what we're trying to do is to  
18 have each of the agencies that generate the  
19 data to contribute that data in a network  
20 environment to a central location.

21 If you go to the dc.gov site,  
22 which is run by the Office of the Chief

1 technology Officer, that OCTO, you will find  
2 a map there. And that map is contributed to  
3 by many of the agencies that have GIS systems  
4 in -- in their internal operations.

5  
6 So, generally, they'll do the  
7 updates, feed those to OCTO and OCTO then puts  
8 them out.

9 We've made a concerted effort to  
10 not have every one of the agencies publish to  
11 GIS directly on the website. That's why you  
12 don't have a GIS system from the Office of  
13 Zoning sitting out on the website. We do have  
14 one, but we're not publishing that out to the  
15 general public.

16 We do -- we are publishing it  
17 through the OCTO website. We will continue to  
18 do that to federal system in other areas like  
19 documents, you know, to make sure that we  
20 don't have the other thing that we're talking  
21 about, you know, where you had the zoning  
22 regulations being published by one agency and

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1 over time having them obsolete because they  
2 are not the original -- originators of that  
3 document.

4 So, hopefully, we'll get to where  
5 all of the agencies are coordinating, you  
6 know, to make sure that that doesn't happen.

7 MR. EDWARDS: And if people want  
8 to find out more about that, they can talk  
9 with you after this session?

10 MR. NYAMBI: Yes.

11 MR. EDWARDS: Okay. Great.

12 If you'll stand up and say your  
13 name?

14 MR. EASON: Good evening. I'm  
15 Charles Eason. I'm a Commissioner with ANC-2E  
16 in Georgetown.

17 And first I'd like to echo the  
18 comments made earlier about the cross  
19 referencing. It would be wonderful to be able  
20 to plug in, you know, a lot number and come up  
21 with any variances, special exceptions, campus  
22 plans, historic district information or

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1 landmark properties. That's something  
2 actually I was trying to do today and found it  
3 quite difficult.

4 But my question for you in this  
5 point in time is how you envision using any of  
6 this kind of technology in the development  
7 process of the regulations to let people, you  
8 know, comment on them and what have you?

9 MR. WHITE: Just to repeat and  
10 just to make sure I'm clear about your  
11 questions. How we can use any of this in the  
12 process of actually updating the substance of  
13 the regulations? Is that what you're asking?  
14 Okay. Good.

15 You know, and I won't speak for  
16 the Office of Planning which is doing that  
17 right now because they're looking at a lot of  
18 this as well as part of the task they've been  
19 charged with.

20 But things like getting comments,  
21 the little comment bars that you can click on  
22 on a web page about specific issues, making

1 summaries of different type -- using graphics  
2 to illustrate what happens with the  
3 regulations today versus alternative future in  
4 different parts of the city are several  
5 examples of how that technology can be used.

6 As far as the rest of it goes, I  
7 guess, you know, we got some Office of  
8 Planning people here. Maybe they could talk  
9 a little bit about what they're doing with  
10 that.

11 DIRECTOR KRESS: Well, I'd also  
12 like to chat and say that's why we're here  
13 tonight.

14 MR. WHITE: Right.

15 DIRECTOR KRESS: We want to hear  
16 from you and do fill out the forms on the  
17 things that you think are -- would be helpful  
18 -- of these enhancements would be helpful to  
19 you. And then we need to go to the City  
20 Council and to the Mayor and ask for a budget  
21 because we are the housekeepers. We build the  
22 house that be they the existing zoning regs or

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1 whatever changes in the regs that they go in.

2 And so this is the house we're  
3 looking to build. That's why we're having it  
4 here and we do have Office of Planning here  
5 you can talk and speak with. But we're  
6 building the house and so please do fill out  
7 the forms and they're going to be on our  
8 website as well and so other people can read  
9 the full proposal book and have their opinion  
10 on the enhancements they'd like to see.

11 I personally want them all. I  
12 don't know that I'll be able to get that, but  
13 we will be looking at you as you have in the  
14 past.

15 I see some very familiar faces  
16 that have helped us been able to fund some of  
17 these kinds of enhancements in our very office  
18 itself.

19 And as you heard from our chair  
20 and he has said so many times. I would say  
21 this is particularly true now more than ever.  
22 We want to level the playing field. We want

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1 everyone to have all of the information that  
2 they need from us that we have access to. And  
3 so --

4 MR. EDWARDS: I'll take a few more  
5 comments or comments.

6 Lindsly, I'm going to come back to  
7 you.

8 Would you say your name for those  
9 of us who don't know you?

10 MS. RICHARDS: Hi. I'm Laura  
11 Richards. I live in Ward 7.

12 And my question went to the plain  
13 English which really seems like a great idea.

14 I was wondering how jurisdictions  
15 that have adopted it, managed when they need  
16 to appeal cases to court.

17 Is the language sufficiently  
18 codified, no matter how it's presented such  
19 that it's reviewable?

20 MR. WHITE: Yes. I mean, if I  
21 understand your question correctly.

22 Using plain English won't

1 necessarily change the -- we're not talking  
2 about changing the meaning of things. But we  
3 are talking about getting rid of junk in  
4 sentences that don't add meaning and getting  
5 more quickly to the point so that people --  
6 anybody can pick up the regulations and  
7 understand what they mean. And also that  
8 they're aren't 20 different meanings that you  
9 can get from the regulations.

10 I mean, all of that is possible  
11 when you use plain English.

12 There is no legal requirement that  
13 you use legalese ironically.

14 MS. RICHARDS: Just a quick follow  
15 up.

16 Well, some of the tabs on the  
17 slides you showed had little templates and  
18 push buttons and charts and things like that.

19 MR. WHITE: Yes.

20 MS. RICHARDS: So, I didn't know  
21 if those were supplements to regulatory text  
22 or replacements for it. And that's what I

1 thought might be somewhat reviewable or not.

2 MR. WHITE: They can be either.

3 And right now if I was told that I  
4 had to have all these charts available by next  
5 week, which would be impossible to do anyway,  
6 given time. But, if we're going to get it  
7 done by next week and there's not time for  
8 rule-making, of course, it would have to be a  
9 supplement.

10 But the process of updating the  
11 zoning regulations is going to be a long-term  
12 process. And we can do something in the  
13 interim that's an explanation of the  
14 regulations that are in existence today. And  
15 at the end of the day it would be codified.

16 The codified version has to be  
17 done by the Office of Documents as the law  
18 exists today.

19 Now, one thing that was done with  
20 the Comprehensive Plan was there -- and again,  
21 the codification with the Office of Documents  
22 is in the D.C. Code. I mean, it's a

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1 requirement that we have. I mean, we can't  
2 choose to do it any other way as the law  
3 exists today.

4           There was a change to that law for  
5 the Comprehensive Plan so now the plan itself  
6 doesn't have to be codified with the rest of  
7 the DCMR. So, that gave them the freedom to  
8 use a lot of graphic enhancements and other  
9 things that you don't see in the rest of the  
10 DCMR today. And we could do the same thing  
11 with the zoning regulations. In fact, it  
12 makes a lot of sense because the zoning  
13 regulations and the plan are supposed to go  
14 together.

15           So, it would make sense to have  
16 those two things codified either in the same  
17 place or something that -- where they're  
18 synchronized very well with each other.

19           I don't think any of that has  
20 anything to do with whether it's judicially  
21 reviewable or not or the way -- the way judges  
22 review it. Obviously, you're subject to the

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1 same legal tests.

2 But I think it's important for  
3 everybody to know that there is no legal  
4 requirement that you write sentences that are  
5 six paragraphs long. In fact, short sentences  
6 in the active voice I think makes regulations  
7 sometimes easier to understand and easier to  
8 defend than regulations that you have to read  
9 eight or nine times to understand what they  
10 mean.

11 MR. EDWARDS: Thank you, Mark.

12 Introduce yourself.

13 MS. ZARTMAN: Thank you, I'm  
14 Barbara Zartman. I'm with the Committee of  
15 One Hundred as their Zoning Chair. And this  
16 is a delightful process to see kicking off.

17 I have a couple of comments in  
18 terms of scope of what could be included in  
19 the ultimate version.

20 One deals with inconsistencies  
21 between one part of this government and  
22 another. My favorite example is the

1 definition of the number of persons that  
2 constitutes a family.

3 I wish everybody good luck in  
4 getting that resolved and reconciled. But  
5 it's true across the board and it is not a  
6 small undertaking. Perhaps, a federated  
7 system is going to work for that as well.

8 And the second is the scope of the  
9 federal legislation that you would anticipate  
10 providing access to. You know, we regularly  
11 have to deal with again, contradictions  
12 between the Americans with Disabilities Act,  
13 the Fair Housing Act and newer the Religious  
14 Land Use and Institutionalized Persons Act.

15 We're trying to level the playing  
16 field and I question how you can make that  
17 kind of a body of knowledge, a mini law  
18 library available and useful to a lay user of  
19 the system.

20 MR. WHITE: Okay. That's a very  
21 good question.

22 You know, we talked about leveling

1 the playing field. We can't turn somebody who  
2 is a casual or an infrequent user of the  
3 ordinance into a land use attorney. I mean  
4 that's just not -- that's not realistic. But  
5 we can summarize the state of the law under  
6 the Federal Fair Housing Act as it relates to  
7 groups homes, as it relates to other types of  
8 issues. We can summarize RLUIPA, the  
9 religious -- the Religious Land Use and  
10 Institutionalized Persons Act.

11 We can provide summaries of those  
12 things so that people who use the code on an  
13 infrequent basis who are interested in an  
14 application for rezoning for a church or  
15 something down the street from you can  
16 understand number one that this law exists.  
17 A lot of people don't know about it. What it  
18 provides in general terms and how that's going  
19 to affect land use cases that come before the  
20 Zoning Commission or the Board of Zoning  
21 Adjustment. So, we can do that.

22 And I think that's a vast

1 improvement over what you have today, because  
2 a lot of folks show up at these meetings.  
3 They don't know this stuff exists and I think  
4 it's important at least to let people know  
5 what's out there so that they know there is  
6 this body of case law.

7           Beyond that, you know, there's  
8 thousands and thousands of pages of case law  
9 under RLUIPA. The cases are not all  
10 consistent with each other as you probably  
11 know. You sound like somebody who is familiar  
12 with this stuff at least more than - -more so  
13 than the general public itself. And, you  
14 know, it is daunting to summarize all that.  
15 But there are people here who can do that and  
16 can provide, I think, something maybe in a  
17 couple of pages that give people a synopsis of  
18 what's there.

19           MR. EDWARDS: Okay. Thank you.

20           We've got time for a few more  
21 questions.

22           Stand up and introduce yourself.

1 MR. WILLIAMS: Good evening,  
2 ladies and gentlemen. My name is Lindsly  
3 Williams.

4 Good evening, Mr. Chairman, Madam  
5 Chairman.

6 I have one small comment to offer  
7 and one perhaps larger one.

8 And the smaller one runs to one of  
9 the earlier slides where it seemed to me you  
10 were depicting graphics useful as a concept  
11 but in the context of the remarks here, I  
12 thought it was pointing at subdivision  
13 regulations. And I'm not sure that's part of  
14 what the mix is and I just want to get that  
15 clarified and maybe it should be done. But it  
16 just seemed like it was out of place.

17 The comment of a different nature  
18 is that this effort which I think is really  
19 well deserved and I look forward to seeing it.

20 You talk about definitions and my  
21 concept is that we're dealing with a city  
22 right now which is now coming on 150, 200

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1 years old. It's largely developed and not a  
2 lot of vacant land. We have a lot of existing  
3 stock of buildings. And with those buildings  
4 and as they're placed, we have some degrees of  
5 nonconformities of area. But we also have a  
6 huge, huge, huge set of uses that are  
7 established out there, variously documented  
8 and sometimes with a Certificate of Occupancy  
9 that was once issued. Lord knows what it  
10 says. And the concern I have is that in the  
11 definitions that we figure out a way to  
12 establish date frame where the definitions  
13 that I'm going to call for this conversation  
14 legacy definitions because those definitions  
15 are what applied to the Certificate of  
16 Occupancy when it was issued and they provide  
17 meaning and rights of what will continue to be  
18 available for the existing stock that is  
19 there.

20 We can have brand new fancy things  
21 with nice graphics for what we're doing with  
22 the raze and replace. Raze and replace is not

1 going to be the future of this city. It's  
2 going to be part of the city, but for  
3 establishing rights, opportunities and even  
4 the history that one of the earlier ladies  
5 here was asking about. We need to have some  
6 idea of what it was supposed to do back when  
7 it was first built.

8 Thank you very much.

9 MR. EDWARDS: Thank you. Okay.

10 All right.

11 Introduce yourself.

12 MS. HARPER: My name is Ann Harper  
13 and I've been around a long time as you can  
14 see by my hair.

15 I'd like to raise several issues.  
16 The first is sort of an application of what  
17 both Lindsly and Barbara have said. And that  
18 is that we really do need -- when we do the  
19 definition section to try to make them  
20 compatible with building code definitions and  
21 housing code definitions and all the rest of  
22 it.

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1           It can be very confusing. We have  
2 a situation now, for example, which  
3 Certificate of Occupancies do not always  
4 describe a use in zoning terms so it's very,  
5 very bad. And I think that needs to be  
6 coordinated with this.

7           But I want to raise another  
8 question altogether which may or may not be  
9 within this framework. And that is, that I  
10 think we need a good database in order to  
11 undertake and study and also in order to  
12 undertake the as you put it, the sort of  
13 architecture of the regulations.

14           And to do that we need something  
15 more than what we have now which is very  
16 useful for people who do actual cases such as  
17 the search engine and being able to look at  
18 orders and all of those things. It would be  
19 very well perhaps to start with the zoning  
20 regulations of 50-A, although there have been  
21 many changes, that's the last major  
22 architectural substantive change.

1           In trying to enter a database  
2           which could be a continuing database and not  
3           a one-time study, show how there are changes  
4           that have occurred over times with regard to  
5           regulations that are enacted or the  
6           regulations that were not enacted but still  
7           continue in force as they were in terms of  
8           where these things have been located in the  
9           city and what their potential impact would be.  
10          And I'm not smart enough right now to think  
11          exactly how that could occur. But I think  
12          it's very essential to both the rewriting of  
13          the zoning regulations to see how far we've  
14          come and what's necessary to do, as well as  
15          their architecture.

16                 And the final thing to say is that  
17                 I'm glad someone brought up something about  
18                 the city side and nonconformity. I think it  
19                 should be mentioned in the context of the 1958  
20                 regulations that there was a deliberate effort  
21                 on the part of those people who worked on  
22                 those regulations to create nonconformity,

1 because hundreds of buildings in the older  
2 stock in this city were nonconforming as to  
3 FAR and lot occupancy.

4 And I asked one time, a form  
5 zoning commissioner who was a senior person  
6 who actually worked on those regulations, a  
7 Dr. Lewis, how that could be the case. He was  
8 undoubtedly for many of us the most substantive  
9 person we've ever had on the commission.

10 In any event, his response was, it  
11 was deliberate because in the future we want  
12 these standards to be sufficient for our city  
13 to have enough open space and to have the  
14 right size buildings in a place that we want  
15 them located on the zoning map.

16 Thank you.

17 MR. EDWARDS: Thank you.

18 We have time for one or two more  
19 questions.

20 Is there anyone who has not been  
21 heard from.

22 Would you introduce yourself.

1 MR. AVITABILE: Hi. Dave  
2 Avitabile with Pillsbury, Winthrop, Sharp &  
3 Pittman. I'm one of those zoning attorneys  
4 but admittedly someone who is relatively new  
5 and has encountered some of the difficulties  
6 you have when you're trying to work with these  
7 things for the first time.

8 One of the things, I think,  
9 building on what Ms. Harper said, it would be  
10 great to have the 1958 regs and see how  
11 they've been updated over time.

12 The problem we have now when you  
13 go onto the website, you pull up the 2003 regs  
14 and then to then find out all the updates that  
15 have gone since then, you have to first know  
16 that it's been updated and there's not to flag  
17 that. And then know where you find that and  
18 go from there.

19 I think what would be great from a  
20 practical standpoint is to have a sort of real  
21 time updated version of the regulations so  
22 that you don't have to go to the zoning

1 commission order that changed it. The  
2 difficulty there, of course, is that how to  
3 make sure that that's what's legally  
4 appropriate. But I think that's maybe the  
5 perk of the --

6 DIRECTOR KRESS: Oh, I have to  
7 answer that. We got a solution for you.

8 One of the first things we're  
9 working on and we've just -- we're just ready  
10 to do it is to -- it was our intention to have  
11 on our website exactly what was official  
12 adopted by the Office of Documents. But now  
13 that the Office of Documents has it, we're  
14 going to have our website and it will be in  
15 two colors. One will be the color that's  
16 officially adopted and then the second color  
17 will be in -- it will be -- I don't know what  
18 color it will be. We haven't decided.

19 Nyambi, red. I don't know. But  
20 we will show everything that's been updated  
21 until the next published version. So, it will  
22 be, we think, monthly is our goal here to be

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1 updated and also ours is word searchable.  
2 Whereas Office of Documents is not. And so it  
3 is being worked on even as we speak. We  
4 thought that was the first thing we needed to  
5 undertake for our own staff, for everyone. We  
6 need to have an updated reg we can look at.  
7 And so that's -- you will be seeing that very,  
8 very shortly.

9 MR. WHITE: Can I amplify  
10 something you said?

11 The one will be the official  
12 codified version. They will all be officially  
13 -- all be a --

14 DIRECTOR KRESS: Oh, I will not  
15 put anything up that is not official been --

16 MR. WHITE: Right.

17 DIRECTOR KRESS: -- published in  
18 the Register.

19 MR. WHITE: That's right.

20 DIRECTOR KRESS: When it gets  
21 published -- right now and you said it's not  
22 there. You have to look for the word

1 "amendments". It is there. We show all the  
2 amendments but then you got to search through  
3 all the amendments and it's really tough.

4 We have a whole chart saying  
5 whether it's been amended or not. But it's a  
6 real pain, I agree with you. And we've just  
7 decided that we can show what is beneficially  
8 -- what is officially adopted on our website  
9 once it's passed. But it will be in a  
10 different color until it is actually codified  
11 by the Office of Documents.

12 But as you know in the past if  
13 there is -- for those of you who have been  
14 here awhile, if there is a discrepancy between  
15 actually what we passed and what the Office of  
16 Documents has codified, they'll come back to  
17 us and they'll change to match us. They know  
18 that ours are the correct ones. We are the  
19 initiator -- sorry, Zoning Commission and  
20 while we maintain that of the regulations and  
21 we are the official codekeepers.

22 MR. EDWARDS: Robert, you've got

1 the last question or comment.

2 MR. SOCKWELL: Thank you. This is  
3 in terms of updates.

4 The Montgomery County ordinance  
5 and I talked with Mark about this early on,  
6 not mentioning necessarily Montgomery. But  
7 Montgomery gives us a subscription service to  
8 this zoning ordinance. They have a monthly  
9 update and we pay for that and we get it every  
10 month. If there's no update we get a letter  
11 that says there were no updates based on  
12 action.

13 And the question or the problem  
14 that we have in the District is that we get a  
15 perfect bound document from the Office of  
16 Documents, which means it's sealed. And we  
17 can strip it apart from the binder and put it  
18 in or get it online as a loose-leaf version.  
19 But it wasn't designed to be updated  
20 continuously and the things that I believe we  
21 need is a loose-leaf only version of that  
22 ordinance designed so that when there are

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1 update pages, or updated information, the  
2 reserved sections become real sections. There  
3 are changes in a particular part of the  
4 document, that the document is truly designed  
5 for ongoing updates. So, I wouldn't have to  
6 buy this much paper to get 25 pages of change.

7 And in Montgomery County,  
8 sometimes I get an envelope that's this thick.  
9 Sometimes I get a letter. It depends on  
10 what's changed. But it can be input to the  
11 document and it keeps us current.

12 Online is great. On paper is as  
13 good. But it would be designed.

14 MR. EDWARDS: Would you be willing  
15 to pay for that subscription service in the  
16 District?

17 MR. SOCKWELL: Absolutely.

18 MR. EDWARDS: All right.

19 DIRECTOR KRESS: This is something  
20 we're looking at. This is very much  
21 something. We have to work out agreements  
22 with Office of Documents. We've got to work

1 out agreements regarding graphics. We've got  
2 to work out agreements regarding these  
3 updates.

4 The only thing I can promise you  
5 and it will always be free is out website.  
6 That I can commit to you.

7 But right now even you might know.  
8 You tried to go Office of Documents just for  
9 the heck of it to pull up our zoning regs and  
10 get --

11 MR. WHITE: Yes. Let me tell you  
12 what. Yes. Let me explain what it is.

13 DIRECTOR KRESS: Yes. Tell that  
14 story real quick.

15 MR. WHITE: Yes. There's two  
16 version of the DCMR on Office of Documents'  
17 website. One is called the Basic Version.

18 With the Basic Version you can  
19 pull up each individual chapter and scroll  
20 down, but you can't do word searches.

21 Then there's what's called the  
22 Advanced Version that you have to buy. In

1 most cities and I showed you from, you know,  
2 Milwaukee and San Antonio which uses Municode,  
3 you can do a word search on the free version.  
4 Well, here you've got to buy it.

5 My problem was, I kept entering my  
6 credit card which I use to buy things on  
7 Amazon.com and other places all the time.  
8 It's a good credit card. It wouldn't take my  
9 credit card. And I called Office of Documents  
10 and asked them what the problem is and they  
11 referred to AMLegal and I called AMLegal and  
12 they referred me to Office of Documents. I  
13 never got an answer on how to get the advanced  
14 version that I could do a work search on.

15 So, if you want to do a word  
16 search now, you got to go to the Office of  
17 Zoning's website and pull it down or create  
18 your own version by cutting and pasting into  
19 Word or something. And then do your own word  
20 searches.

21 DIRECTOR KRESS: Or pay for  
22 something you can't get on the Office of

1 Documents site.

2 MR. WHITE: And our suggestion is  
3 there's probably better ways of doing it and  
4 so we're presenting better ways of doing it.  
5 Not only that, but Robert brings up a good  
6 point on the print version which we haven't  
7 focused on probably as much since we're  
8 looking at modern technology. But, I mean, he  
9 brings up a very good point.

10 New York and San Antonio's print  
11 version is also loose leaf because these  
12 changes occur all the time. You'll never have  
13 a zoning ordinance --

14 DIRECTOR KRESS: Especially over  
15 the next couple of year.

16 MR. WHITE: Right. So, never have  
17 a single zoning ordinance, it's just going to  
18 be the way it is word for word for the next 20  
19 years. I mean, there's always going to be  
20 pressure to change things one way or another.  
21 Technology enhancements, new uses, whatever  
22 that create the need for change.

1                   And so having a loose leaf binder  
2 I think is a very, very good suggestion.

3                   So, thank you.

4                   MR. EDWARDS: All right. I think  
5 this has been great from the standpoint of  
6 public education for all the folks who have  
7 been watching this on the webcast.

8                   This presentation is going to be  
9 uploaded that Mark presented in a couple of  
10 days. It will be on the Office of Zoning's  
11 website.

12                   Also want you to fill out that  
13 survey so we can get your feedback around  
14 priorities. If you just want to give them to  
15 me or leave them on the table as you leave.

16                   Thank you all for coming tonight.  
17 I'm going to turn it back over to Jerrily  
18 Kress, Director of the Office of Zoning for  
19 the last word.

20                   DIRECTOR KRESS: Oh, thank you,  
21 Don.

22                   I just wanted to say the same

1 thing you did about the forms.

2 We -- this is our chance to get  
3 our input from you and it will be up on our  
4 website and we'll have the forms on our  
5 website as well. So, for those of you who are  
6 here can share that with others that they can  
7 read the full report and have their input into  
8 what they'd like to see happen because we --  
9 and then we're going to ask you to come out  
10 and help us when our budget time comes to ask  
11 for some support so that we can build this  
12 house we want to build to hold all of these  
13 regulations.

14 I'd also like to just basically  
15 thank you all for being here and particularly  
16 our Commission and Board Members and  
17 Commission Members and hope you all have a  
18 pleasant, pleasant evening.

19 Thank you very much for coming.

20 Oh, if you didn't sign in when you  
21 came in, please feel free to sign in on your  
22 way out because we will probably be sending

1 follow ups should anything else happen and we  
2 want to make sure that we've got you all that  
3 did come tonight. We have your names and  
4 address properly.

5 Thank you.

6 Did you want to say anything?

7 CHAIRPERSON HOOD: No. No more  
8 than good night.

9 DIRECTOR KRESS: How about you,  
10 Ruthanne?

11 (Whereupon, the above matter was  
12 concluded at 7:34 p.m.)

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