

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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SPECIAL MEETING

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THURSDAY

SEPTEMBER 6th, 2018

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The Special Meeting of the District of Columbia Zoning Commission convened in the Jerrily R. Kress Memorial Hearing Room, Room 220 South, 441 4th Street, N.W., Washington, D.C., 20001, pursuant to notice at 6:00 p.m., Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson  
MICHAEL G. TURNBULL, FAIA, Commissioner (AOC)  
PETER G. MAY, Commissioner (NPS)  
PETER SHAPIRO, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER, Deputy Director, Development  
Review & Historic Preservation  
ELISA VITALE

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

ALAN BERGSTEIN, ESQ.

The transcript constitutes the minutes from the Special meeting held on September 6th, 2018.

**NEAL R. GROSS**

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

6:06 p.m.

1  
2  
3 CHAIRMAN HOOD: Okay. Good evening. This Special  
4 Public Meeting will please come to order. Good evening,  
5 ladies and gentlemen. This is a Special Public Meeting of  
6 the Zoning Commission for the District of Columbia.

7 My name is Anthony Hood. Joining me are  
8 Commissioner Shapiro, Commissioner May, and Commissioner  
9 Turnbull.

10 We're also joined by the Office of Zoning staff,  
11 Ms. Sharon Schellin, as well as the Office of Attorney  
12 General, Mr. Bergstein, as well as the Office of Planning,  
13 who will be presenting tonight, Ms. Steingasser and Ms.  
14 Vitale.

15 Copies of today's meeting agenda are available to  
16 you and are located in the bin near the door. We do not take  
17 any public testimony at our meetings unless the Commission  
18 requests someone to come forward.

19 Please be advised that this proceeding is being  
20 recorded by a court reporter. Okay. At this time, I will  
21 ask all of us to please turn off all electronic devices.

22 Again, as I said, this is a Special Public Meeting  
23 so we can get an update of some of the plans in which the  
24 Office of Planning has to move forward. And at this time,  
25 Ms. Schellin, do we have anything else?

1 MS. SCHELLIN: I do not.

2 CHAIRMAN HOOD: Okay. Let's go straight to Ms.  
3 Steingasser.

4 MS. STEINGASSER: Thank you, Chairman Hood,  
5 Commissioners. I appreciate you holding this Special Public  
6 Meeting.

7 We wanted to just have an opportunity to talk to  
8 you before the fall begins and get some early advice. We  
9 wanted to go over with you some of the upcoming zoning cases  
10 that we're going to be bringing forward and get just, again,  
11 just some conversational interaction prior to how we move  
12 forward, especially on one particular item.

13 So this fall we see some significant zoning cases  
14 coming before you. And this has to do more with the zoning  
15 text as opposed to anything being submitted to us.

16 We expect to be finishing up the most recent round  
17 of inclusionary zoning. That hearing is coming up on the  
18 20th. And we hope to get that finished this fall.

19 Penthouse and roof structures are also going to  
20 be coming forward this fall. We've been working with the  
21 Department of Consumer and Regulatory Affairs, the Office of  
22 the Zoning Administrator, OAG, and OZ on those regulations,  
23 how they work, how they relate to the affordable housing  
24 contributions. And so we'll be bringing forward some  
25 comprehensive revisions to those regulations.

1           We're also looking at the use categories and  
2 definitions. And that's one thing we've had, through  
3 conversations with Office of Zoning Administrator, is the  
4 difficulty they're having in some of these use categories.  
5 They're either too broad, or they include too many things,  
6 or they don't include the right things.

7           So we're probably going to be busting some of  
8 those up and putting back into a more established just  
9 definition of uses so that it's clear.

10           One case in particular that will be coming back  
11 to you, it has to do with animal care. And everything is  
12 together in an animal care and boarding use category. But  
13 when you look at the uses, it's everything from a veterinary  
14 to a pet store to a dog grooming facility. And they're  
15 really very different impacts. So we're going to be  
16 splitting that kind of stuff up and going through.

17           And some of these categories and some of the uses  
18 listed aren't even called out later in the regs. So they  
19 have no purpose to be there. So we're going to be doing a  
20 lot of cleanup in that regard.

21           Design review procedures, this has to do with the  
22 design review process in Subtitle X. We'll be looking at  
23 some of those procedures as well and how to make it more  
24 functional.

25           The design review started out as what we were

1 calling a PUD light several years ago. And then when we  
2 decided not to go that path, we came up with the design  
3 review procedure that somebody could opt in.

4 And I don't think when we separated those two, I  
5 think we left some pieces that needed to be brought in, and  
6 then we also included some pieces that needed to be left out.  
7 So we'll be looking at those regulations.

8 And row house additions and character elements,  
9 and this is something, if you guys have any thoughts on this,  
10 because we've been monitoring this. This is the Case 14-11.  
11 It's now, you know, about three years old. We've watched how  
12 the Zoning Commission has dealt with the text and how the BZA  
13 has really struggled with how to administer it and how to  
14 approve it, review it.

15 And so, if you guys have any thoughts that you  
16 want to specifically to look at, I mean, there's two major  
17 elements to it, the addition, the actual additions on the  
18 rear and the tops, and then the architectural elements.

19 And the architectural elements I think we struggle  
20 with internally in our review. The Office of the Zoning  
21 Administrator's, that staff really struggle with it. When  
22 is it matter-of-right? When is it not? And it has really  
23 evolved into a much finer grained type of review than I think  
24 we were originally expecting.

25 And I just want -- what we were looking at is

1 backing it up a little bit and focusing more on the big  
2 elements, the turrets, the towers, you know, the porch roofs,  
3 and less on whether the window has, you know, the right  
4 number of panes in it or whether the cornice line remains the  
5 same.

6           Is that something you guys are comfortable with?  
7 Or do you have any feedback individually on your experiences  
8 with that that you want us to consider? I guess I'm kind of  
9 putting everybody on the spot on that.

10           But that's something we're going to be looking at.  
11 So you don't have to give it to me tonight. But --

12           CHAIRMAN HOOD: I will say this.

13           (Off mic comments.)

14           MS. STEINGASSER: Citywide.

15           CHAIRMAN HOOD: I will say this, Ms. Steingasser.  
16 One of the problems that I've had, especially sitting on the  
17 BZA, of what we put in place is when you really look at it  
18 and evaluate it, it's kind of, it's inconsistent.

19           I mean, the way we're -- well, the way it's -- we  
20 need to give them -- and I think the BZA is calling for it,  
21 exactly what you're saying. We need to give them some, well,  
22 give us some more guidance and ways to scope it, because some  
23 of those structures that you said were huge.

24           So I think you're going down the right line. We  
25 just need to maybe put some more thought into it and figure

1 out how do we get there.

2           You're right. I don't agree with, okay, with six  
3 panes. Come on, that's not really where I think we need to  
4 be. I think you're all, we're going down the right  
5 direction. Do I have the answers? No.

6           MS. STEINGASSER: No.

7           CHAIRMAN HOOD: We might want to try to get also  
8 -- I don't know if we can do this, Mr. Bergstein. But we  
9 might want to see how it goes for the BZA, because they do  
10 it all the time.

11          MS. STEINGASSER: Uh-huh.

12          CHAIRMAN HOOD: We show up once a month. Maybe  
13 they may be able to give us some advice as well and how we  
14 can kind of codify and put this together so it actually  
15 really works as opposed to willy -- I'm not saying it's, I  
16 don't want to say willy-nilly the way -- it's a toss of the  
17 coin. We could be more predictable.

18          CHAIRMAN HOOD: That's my two cents.

19          MS. STEINGASSER: And that's what we're hearing  
20 from property owners and architects. It's like, well, is  
21 this too much, is this too little. You know, is the column  
22 too much or too little?

23                 And that's when we started realizing, you know,  
24 we kind of knew what we were going after originally. And it  
25 was really the big stuff, not the little stuff. And now it's

1 really down to the little stuff.

2           One of the things we were thinking of adding is  
3 a statement of intent so that it's clear once we figure out  
4 what that intent is that we put that into the regulation so  
5 the BZA has that to reference. You know, the intent is not  
6 to deny these things but to provide limited protection of --  
7 and kind of get into --

8           Again, it gets to what you were saying, Chairman  
9 Hood, about providing guidance to anybody as to what they can  
10 do and how the Board is going to evaluate it, because I think  
11 that we're hearing from neighbors as part of their  
12 frustration is they don't know how the Board's going to  
13 evaluate it, you know.

14           And then that puts the -- you know, we see you  
15 guys suffering when you're on the Board and with the Board  
16 trying to figure out how to, what direction to go. So we'll  
17 be working on that.

18           And then to the issue of the additions, that's  
19 another one. There's --

20           COMMISSIONER MAY: Sorry. Can we go back to  
21 character elements for a second?

22           MS. STEINGASSER: Yes.

23           COMMISSIONER MAY: So my thought on this was that,  
24 because we have had a variety of experiences, I mean, I  
25 haven't experienced it to be truly, you know, uneven. I

1 thought it was all going relatively smoothly. But I don't  
2 know. I don't know why I had that experience.

3 But I think that actually what strikes me is that  
4 maybe we need to start that discussion with a training  
5 session where we can go through, you know, some examples.  
6 And DCRA can talk about how they might regard something. And  
7 then you could talk about how you might regard it.

8 And then we can talk about the questions that we  
9 would have. And that might inform us on the, how we can, you  
10 know, formulate a better zoning case to consider.

11 MS. STEINGASSER: Okay.

12 CHAIRMAN HOOD: And our next training is? It  
13 should be coming up soon, probably, no, not September. This  
14 is September. Maybe November.

15 COMMISSIONER TURNBULL: October.

16 CHAIRMAN HOOD: October, November, okay.

17 MS. STEINGASSER: Well, that's a good idea,  
18 because we have been logging them from day one, both the  
19 architectural element cases and the rear addition, roof,  
20 upper level addition.

21 And the architectural elements I think really come  
22 in conflict when there's an upper story addition. That's  
23 where the --

24 COMMISSIONER MAY: Yes.

25 MS. STEINGASSER: -- there's really a conflict in

1 how they work together. So we'll be bringing that forward.

2 And finally, the one thing, and I'm really going  
3 to try to give you a hard sell on this coming up, is the zone  
4 names.

5 So we've been monitoring it as we said we would,  
6 the new zoning regulations, how were they working, what  
7 works, what hasn't worked. And we've been fortunate in the  
8 last year to have a couple zone, new zone issues, so most  
9 recently with the MU-3-A.

10 And as we were looking at the regs thinking, okay,  
11 well, how does this all work together, we talked with the  
12 Office of Attorney General. We then went and talked most  
13 directly with Director Bardin at the Office of Zoning to make  
14 sure that anything, any path we went down was, had their  
15 sanction.

16 And then we talked directly with the Department  
17 of Consumer and Regulatory Affairs. And then, of course, and  
18 on a daily basis, we're dealing with the architects and the  
19 land use lawyers.

20 And the zone names and the old overlay names,  
21 there was just such a disconnect. People were really  
22 uncomfortable with how that worked together, as were we, and  
23 we being the entire Development and Review Division.

24 And as we started looking at how people work with  
25 the regs, they all take the cheat sheet and they go back to

1 the original '58 names and spring forward from there.

2           So we started looking at what makes that work.

3 And what makes it work -- let's see if I can get this.

4 Which, this one?

5           PARTICIPANT: Just hit --

6           MS. STEINGASSER: Okay. So the zone names are

7 tied to a base zone. And that base zone -- and this is what

8 we started trying to look at in terms of what was it that

9 wasn't working.

10           You know, and there was an incredible amount of

11 duplication of development standards as each zone got

12 repeated over and over and over, the geographic identifiers

13 that were a result of the old overlays. And the Commission

14 kept those in the title of the chapters.

15           There was a need for an easier understanding of

16 the relationship between the zones. The numbering system

17 that we originally proposed and the Commission went along

18 with, you know, from a stenographer's standpoint it worked

19 well. You know, you just keeping adding to the end. But it

20 lost that connection between the zones. And that became

21 obvious with the MU-3 as we worked on that one.

22           So we came up with some new zone names that would

23 both accommodate new zones citywide, like we just did with

24 the MU-3-A and B, the neighborhood-specific zones, like we

25 saw through the old overlays, and both project-specific

1 zones.

2           And those are things like what we see in Subtitle  
3 K, the Union Station North, where they're both tied to a  
4 small area plan or they're a major project that is of a  
5 significant size.

6           The other issue we kept running across is just  
7 errors, just the technical errors of not including a zone in  
8 these long lists. So you could no longer just say R-3. You  
9 had to say R-3, R-13, R-17, you know.

10           And if you forgot to go back and adjust something,  
11 you know, it got left out. And then the Office of -- it  
12 usually never got found till someone came in for a permit.  
13 And then we had to do some kind of scramble to get it back  
14 to them.

15           So, with that, we started looking at new zone  
16 names. And what this shows is the nomenclature we're  
17 thinking of.

18           So the top four in this case, this is Subtitle D,  
19 are the standard base zones, the R-1-A, R-1-B, R-2, and R-3.  
20 And those are the same that we've had since the 1958 regs.  
21 We brought those forward in the ZR16 regs.

22           We started then looking at the R-6, 7, 8, 9, 10.  
23 And it was that lack of both a geographic identifier, which  
24 is the old overlay names, and the base zone identifiers that  
25 became really what made people confused. It was just too

1 much to try to remember that. An R-8 actually has a  
2 relationship to an R-9 and an R-1. You know, you just didn't  
3 know.

4 So I highlighted them in red so you could see how  
5 the relationships move. The base zones, in this case are 1-A  
6 is red, would get repeated, and then the geographic  
7 identifier, which would be hyphenated.

8 So it would look very much like what we saw in the  
9 old '58 maps, but it allows for there to be both the base  
10 zone understanding and then a tag that there is something  
11 that's qualifyingly different in the geographic area for  
12 these areas.

13 So this just kind of blows it up to what we were  
14 thinking of there. And then on the next slide it shows all  
15 of those that would be changed.

16 So it takes it back to a much more familiar  
17 nomenclature. And it also lets people understand, okay, if  
18 I understand the R-1-A, I know all these other zones. I know  
19 that they are similar, and I know there's just one thing or  
20 two things that's different. So it works very similar to the  
21 old overlay.

22 It also, when we get into the other subtitles, it  
23 accommodates the new zone names that we've brought forward  
24 in terms of those base zones.

25 And you can see here, this is the subtitle for the

1 MU zones, the mixed use zones. Again, the '58 names are on  
2 the left. The ZR16 names are down the center.

3 And you could see where we started to make in the  
4 old C-1, where we came up with the MU-3-A and B, there's the  
5 MU-4 and the MU-5. And we started looking through how those,  
6 again, interacted. And those numbers become important when  
7 we get into the, another subtitle and they'll tie in.

8 And so, looking at MU-17, in and of itself you'd  
9 have no idea what that means. You'd have to stop. You'd  
10 have to go look at the regs. But if it says MU-4/DC, you  
11 understand that whatever that zone is, it's base trunk is MU-  
12 4, and it's got that DC so that you know geographically it's  
13 going to be in that Dupont Circle area.

14 And then this is a list. When you look at the  
15 entire subtitle, only about half the zones would need this  
16 kind of changing. Obviously, the top half of the chart,  
17 those are the base zones. They would stay with the new MU  
18 names. And then as the overlays started to redefine them,  
19 we would put that back into their naming.

20 And it still provides that MU base, which was  
21 important for the work that we were doing originally and that  
22 the Commission agreed with on how, that it needed to identify  
23 it as mixed use.

24 It also allows for those zones to continue to be  
25 tweaked the way the MU-3 and the MU-5 have been without

1 upsetting the apple cart for the rest.

2           So you could amend the MU-6 zone and not have to  
3 go also amend the MU-9, 19, or, you know, and move your way  
4 down. So these long, cascading lists would become much more  
5 concise and understandable.

6           It also gets to the issue that we heard a lot  
7 during the public hearings on the original ZRR, which were  
8 the neighborhoods wanted to see their names on those zones.  
9 They've worked hard. They wanted those names. And that's  
10 why the Commission put those names into the titles. It just  
11 puts it back on the map.

12           And we really think it's a win/win for everybody  
13 who had an interest in it. And it lets people understand  
14 these things matter.

15           And I know also I've gotten calls from people who  
16 couldn't find a zone because the name wasn't there. Well,  
17 now they'll be able to find that zone much more easily for  
18 those who've got the long experience.

19           The neighborhood commercial overlays that we  
20 renamed and see to try to identify them as having  
21 neighborhood commercial importance, we're also recommending  
22 these be renamed.

23           And you can see, let's take the second one, NC-2,  
24 so it was C2A, Takoma Park in '58. It got changed to NC-2,  
25 which is fine because these are very limited. But because

1 the C2A was renamed to the MU-4, if we keep that same number  
2 significance and make everything that had that C2A is now MU-  
3 4 and we use that 4, it now ties that back. So it brings  
4 that relationship back and makes it clear that these have  
5 that same underlying zone structure of the MU-4, previously  
6 C2A.

7 And so these colored -- I tried to do just some  
8 colored crossing so you could see how that would work through  
9 the different neighborhood commercial zones. Yes.

10 COMMISSIONER MAY: So I'm just curious. All of  
11 the neighborhood commercial zones that you list here are  
12 essentially old commercial zones with overlays.

13 MS. STEINGASSER: Yes, right.

14 COMMISSIONER MAY: So, if there's a relationship  
15 between NC-4 and MU-4, because that's the new name for C2A --

16 MS. STEINGASSER: Yes.

17 COMMISSIONER MAY: -- why aren't we just using --

18 MS. STEINGASSER: MU-4.

19 COMMISSIONER MAY: -- MU-4 as the base?

20 MS. STEINGASSER: We thought about that. But  
21 actually we were afraid of making too much change until we  
22 got an okay from you guys that you were interested in going  
23 this path. That could easily be done. This could easily  
24 become an MU, and then it would be MU-4TK.

25 COMMISSIONER MAY: Well, and I think one of the

1 things that is confusing even to me at this moment without  
2 reading through it all is what's the difference between mixed  
3 use and neighborhood commercial?

4           And I'm not saying that because I need an answer  
5 right now. I'm just saying that that's --

6           MS. STEINGASSER: There isn't any. It was --

7           COMMISSIONER MAY: Yes.

8           MS. STEINGASSER: It was a nod to the -- there was  
9 so much opposition at that time at how we were moving and how  
10 we were dealing with the zone names that it was a nod to the  
11 people who were worried that the neighborhood commercial  
12 overlays would disappear and the importance of those  
13 neighborhood commercial nodes.

14           So we went with NC to identify these are  
15 neighborhood commercial, meaning there's going to be  
16 something different. But if we go to -- we could easily  
17 reintegrate these back into the MU format with this overlay  
18 name.

19           COMMISSIONER MAY: Well, I would certainly be in  
20 favor of considering that because --

21           PARTICIPANT: Yes, it would simplify it.

22           MS. STEINGASSER: Yes.

23           COMMISSIONER MAY: More simplification would be  
24 better.

25           MS. STEINGASSER: Okay.

1 COMMISSIONER TURNBULL: I mean, so is NC sort of  
2 like MU light?

3 MS. STEINGASSER: Actually, I mean, there is no  
4 difference.

5 COMMISSIONER TURNBULL: No difference.

6 MS. STEINGASSER: No difference. These are all  
7 MU zones that had a --

8 COMMISSIONER TURNBULL: Okay.

9 MS. STEINGASSER: -- neighborhood commercial  
10 overlay on them. They were separated out in the '58 regs  
11 into their own chapter. And so we were just, we were trying  
12 to give something to people who were really that concerned  
13 about it. But it didn't, it doesn't, there is no real  
14 difference.

15 COMMISSIONER TURNBULL: I was noticing that you're  
16 putting back in the overlay nomenclature, and I saw that on  
17 the Capitol overlay. And I saw that, and the CAP. But I  
18 didn't see it on the residential part, the R-3. Or was it?  
19 Maybe I missed it.

20 MS. STEINGASSER: Let's see.

21 COMMISSIONER TURNBULL: I didn't know if you were  
22 doing that on something.

23 MS. STEINGASSER: If it's -- there it -- well, no,  
24 that's the NO. If there's supposed to be an R-3 --

25 PARTICIPANT: I think there is --

1 MS. STEINGASSER: -- then it would --

2 PARTICIPANT: -- CAP. Yes, it would --

3 MS. STEINGASSER: Yes, then it would just, it's  
4 just missing, yes.

5 COMMISSIONER TURNBULL: All right. So there would  
6 be an --

7 MS. STEINGASSER: Yes.

8 COMMISSIONER TURNBULL: So you would go back to  
9 the old R-3 CAP then or --

10 MS. STEINGASSER: Yes, right.

11 COMMISSIONER TURNBULL: -- put that. Okay.

12 MS. STEINGASSER: Yes. And it's easy in the R  
13 zones because the -- we all agreed to keep the R-1A, R-1B,  
14 R-2, and R-3 names. So that --

15 COMMISSIONER TURNBULL: Yes, I never had a problem  
16 with it because I always like the interactive map that you've  
17 got that goes back between '58 and '68. And it's easy to  
18 tell where they are.

19 But I had a lot of people ask me questions. Well,  
20 where's the CAP overlay now? Where is it? And I said, well,  
21 just look at the interactive map and you can follow it. And  
22 --

23 MS. STEINGASSER: Yes.

24 COMMISSIONER TURNBULL: But, so that will be good.

25 MS. STEINGASSER: But if you don't have access to

1 the interactive map --

2 COMMISSIONER TURNBULL: Yes.

3 MS. STEINGASSER: -- you don't --

4 COMMISSIONER TURNBULL: Right. You don't see it.

5 MS. STEINGASSER: And now if you looked at a paper  
6 map, you would see --

7 COMMISSIONER TURNBULL: You would see it.

8 MS. STEINGASSER: -- that all --

9 COMMISSIONER TURNBULL: Right, it would -- I think  
10 it's great, yes.

11 MS. STEINGASSER: It would all bind together.  
12 Where are we?

13 Okay. So this gives -- we did some prototyping,  
14 I don't know if that's the right word, where we took the  
15 Subtitle D and ran through the R zones and reformatted them  
16 to see how this would work. And it works really nicely,  
17 really, really nicely. It allows for that base zone to carry  
18 the bulk of the information.

19 And so what I have laid out here is the R-1A. So,  
20 in the current zoning regulations, the R-1A has all of these  
21 sections in it, purpose and intent, development standards,  
22 lot occupancy, height, all the way down to use permissions.

23 And then the R-11, which if you didn't have this  
24 tree and slope NO, you wouldn't know exactly what the R-11  
25 is. You'd have to read through it. The R-11 has almost the

1 identical types, the identical standards of what's in the R-  
2 1A.

3           What's different is shown in the R-1A/TS/NO. And  
4 so these are the only pieces that are different. And so  
5 these dotted lines represent identical, what would normally  
6 be identical information.

7           So we would then, what we would have under the new  
8 naming system would be the R-1A as the primary zone. And  
9 then the R-1A/TS/NO would carry only as purpose and intent  
10 and then those elements that are different, very much the way  
11 the overlay works now, only this allows it to be all together  
12 in the same subtitle.

13           So it gets the commonality that OP was looking  
14 for. But it also gets the efficiency that a lot of people  
15 were concerned about.

16           This is an effective one. This is one of the  
17 better ones. This is the R-17. So this is an R-3 zone. And  
18 the column in the blue is what's shown in the R-3 zone.

19           And then the R-17 has all the exact same  
20 information but for this line called miscellaneous. So we've  
21 spent three pages saying the exact same thing that only  
22 needed to be said in two sentences under miscellaneous. So  
23 --

24           COMMISSIONER SHAPIRO: But how much shorter are  
25 you estimating this will be?

1 MS. STEINGASSER: In this subtitle, it went from  
2 64 --

3 COMMISSIONER SHAPIRO: Overall.

4 MS. STEINGASSER: Well, this went from 64 to 41  
5 pages. And --

6 COMMISSIONER SHAPIRO: Just this one subtitle?

7 MS. STEINGASSER: Just this one subtitle. So that  
8 duplication, when you start getting into the MU zones where  
9 there's a lot of -- so I would suspect we would probably  
10 reduce by at least a third the number of pages. So, and that  
11 got to a lot of issues that we heard about, having to carry  
12 that around.

13 And like I said, there would be, you know, the one  
14 in Subtitle D, there would be the one zone, and then there  
15 would be all the other zones that would only have what's  
16 different. And we would obviously have to make sure that we  
17 get the language right that identifies how that works  
18 together.

19 But it reduces the duplication of development  
20 standards. It identifies the geography of the names. It's  
21 easier to understand that relationship between the zones, the  
22 base zones, and as well as the broader geography of those  
23 overlays. It accommodates new zones both in terms of  
24 citywide zones and the neighborhood zones.

25 And it really reduces that opportunity for error.

1 And we discovered that as we are working through the  
2 inclusionary zoning regulations.

3 So we liked it. Office of Zoning liked it. I  
4 mean, I have checked in with Sara two or three times to make  
5 sure that she was okay with it, that she thought it was  
6 manageable in terms of how their resources to be able to redo  
7 this and redo the maps. And she was comfortable with that.

8 The Office of Attorney General liked it. And --  
9 MR. BERGSTEIN: Loves it, loves it. Just loves  
10 it.

11 (Laughter.)

12 MS. STEINGASSER: Loves it. And then, of course,  
13 the Office of the Zoning Administrator, those we went through  
14 and really worked through some of these things to make sure  
15 that they worked.

16 But we -- that's why I wanted to start with this  
17 kind of list of zoning text amendments that we're going to  
18 be bringing forward. And if the Zoning Commission is open  
19 to these changes, it will allow us to be more streamlined in  
20 how we bring them forward.

21 And we'll probably take a little bit of a break  
22 to let the text amendments clear out that are in process and  
23 then start coming in with this newer language, this newer  
24 nomenclature.

25 COMMISSIONER TURNBULL: We don't need massive

1 hearings on this. Like, this is going to be like text  
2 amendments that are going to be like technical corrections  
3 or --

4 MS. STEINGASSER: No, we --

5 COMMISSIONER TURNBULL: -- how do we address this?

6 MS. STEINGASSER: We think we need to set it down  
7 and have a hearing on it.

8 COMMISSIONER TURNBULL: And have a hearing? Okay.

9 MS. STEINGASSER: Yes, because it is, it will  
10 result in a map amendment. And I think if we don't, people  
11 are going to be really suspicious.

12 COMMISSIONER TURNBULL: So, well, no, I guess my  
13 feeling is we don't need to go out into the neighborhoods and  
14 go through this all again.

15 MS. STEINGASSER: Oh, no, no, no.

16 COMMISSIONER TURNBULL: Okay.

17 MS. STEINGASSER: I think it's self-evident and --

18 COMMISSIONER TURNBULL: Just a simple hearing on  
19 it.

20 MS. STEINGASSER: I hope people find comfort in  
21 it looks like the old overlay language.

22 COMMISSIONER TURNBULL: Right.

23 MS. STEINGASSER: But it has the structure  
24 underneath it that OP was trying to get at. And I think it's  
25 a real win/win.

1 COMMISSIONER TURNBULL: Okay.

2 CHAIRMAN HOOD: Are we going to set down process  
3 or content?

4 MS. STEINGASSER: I think we would set down now  
5 just the zone names. So I'm not --

6 CHAIRMAN HOOD: So --

7 MR. BERGSTEIN: That's correct. I just envision  
8 this as a very simple, you know, it's a public hearing that  
9 would set out the tables just so on the concept.

10 CHAIRMAN HOOD: So, that's what I mean. So the  
11 hearings will be on the concept.

12 MR. BERGSTEIN: Yes, the hearings will simply --

13 CHAIRMAN HOOD: Okay, okay.

14 MR. BERGSTEIN: -- be on the change of --

15 CHAIRMAN HOOD: All right. That makes it a little  
16 easier.

17 MR. BERGSTEIN: -- map designations.

18 MS. STEINGASSER: Yes.

19 MR. BERGSTEIN: And there's going to be no  
20 substantive change whatsoever to this.

21 CHAIRMAN HOOD: That's -- okay.

22 MR. BERGSTEIN: It is technical.

23 MS. STEINGASSER: Yes.

24 MR. BERGSTEIN: But technically, it is a map  
25 amendment and needs a hearing.

1 CHAIRMAN HOOD: Okay. All right.

2 MS. STEINGASSER: And it does not involve any  
3 changes to the substance or development standards or any of  
4 those things.

5 CHAIRMAN HOOD: Okay.

6 COMMISSIONER SHAPIRO: Just a quick thought, which  
7 is, it may sound counterintuitive since the purpose of this  
8 would be to have a hearing, but I imagine you've had some  
9 casual conversations with key stakeholders about this, or not  
10 yet?

11 MS. STEINGASSER: We have, but nothing official.  
12 Like, you know, we've talked to people when they come in to  
13 the office. Like, oh, while I've got you here, what do you  
14 think, you know, what are some of the hurdles you've been  
15 experiencing?

16 And mostly we're dealing with them that way. And  
17 whether that's through people who are opposing a project or  
18 people who are supporting a project or developers, you know,  
19 it's just been very casual that way.

20 COMMISSIONER SHAPIRO: It just seems like there's  
21 -- even though it sounds, this sounds great to me, the more  
22 irrational reaction to something like this could be massive.

23 MS. STEINGASSER: It could be.

24 COMMISSIONER SHAPIRO: And is there a way to, you  
25 know, just get a little bit of input before it even --

1 MS. STEINGASSER: Honestly, I don't know how. I  
2 mean, we're not in a situation where we could go out to every  
3 ANC if that's what you're --

4 COMMISSIONER SHAPIRO: No, no, not at all.

5 MS. STEINGASSER: Yes, okay, because --

6 COMMISSIONER SHAPIRO: Not at all.

7 MS. STEINGASSER: I mean, the idea, you know,  
8 maybe we could do some early publicity through, you know,  
9 talking with the local papers or something like that.

10 CHAIRMAN HOOD: It could go to Councilmember Bond.  
11 I think she meets with the ANCs. We might be able to get on  
12 that agenda and just do a 15-minute presentation, because I  
13 don't see this going over 15 minutes.

14 MS. STEINGASSER: Okay.

15 CHAIRMAN HOOD: Because if we're not getting into  
16 substance --

17 MS. STEINGASSER: No.

18 CHAIRMAN HOOD: -- we should be just fine with the  
19 process and how we're trying to put the formatting.

20 COMMISSIONER SHAPIRO: And I think it's just, you  
21 know, it feels like one of these things where if people get  
22 it then this is actually all stakeholders on all sides of it  
23 essentially been asking for a version of this.

24 MS. STEINGASSER: Yes.

25 COMMISSIONER SHAPIRO: You know, that's -- and

1 that's, you know --

2 MS. STEINGASSER: I think so. I mean, like I  
3 said, I'm not even going to hide the fact that I'm trying to  
4 sell this really hard because --

5 COMMISSIONER SHAPIRO: Yes, yes.

6 MS. STEINGASSER: -- I really think it so improves  
7 the usability of the zoning regs.

8 And like Mr. Turnbull was saying, you know, being  
9 able just to look at the map and seeing that, oh, all of  
10 these zones with the, you know, CAP after their name are  
11 affecting this area. It, you know, just identifies that  
12 geography.

13 I think it helps people, you know, that were so  
14 concerned that we were abandoning, somehow we were masking  
15 changes in the zone names, you know --

16 CHAIRMAN HOOD: You'll find, I'm hoping we'll find  
17 a lot of people appreciative of this move I think. I'm  
18 supportive, and I would suggest we go in that direction  
19 unless we hear otherwise, say otherwise.

20 MS. STEINGASSER: Okay.

21 COMMISSIONER MAY: You know, it's fine by me. I  
22 like the idea of a structured nomenclature rather than just  
23 those numbers that went on and on and on. I remember how  
24 skeptical I was when we had the hearings. But it does make  
25 sense to me. So I'm good with that.

1 MS. STEINGASSER: Okay, thank you.

2 COMMISSIONER TURNBULL: I wonder if I could go  
3 back to your first part, the review aspect on -- you know,  
4 sitting on the BZA, there's been cases that have been fairly  
5 simple. Some you get a lot of input from neighbors on a  
6 project, what the new project is going to look like or, and  
7 some you don't.

8 And you get into that favorite term used by a lot  
9 of architects that present, the materiality of it all. And  
10 so that's always a fine point. It just seems like you don't  
11 want to restrict the owner or the applicant from doing  
12 something.

13 Yet you get into this whole thing of, quote,  
14 context, whatever that means, and if it's not a historic area  
15 but there's still a row house context. And we've struggled  
16 with maybe a turret or something, and it's been changed a  
17 little bit or the full mansard roof, the change. I mean,  
18 there's been little things.

19 A lot of it's gone fairly well I think for the  
20 most part. But there has been some issues I know and certain  
21 members of the BZA have struggled with certain aspects of is  
22 this really what we -- you know, it's like, well, they're not  
23 asking for relief on this. It's not really in our purview.  
24 But it doesn't, something just doesn't seem right.

25 So I think I like Commissioner May's idea of maybe

1 a session where, a training session where some examples, you  
2 could go through it and look at some of these cases where  
3 we've had some rather strange things that have come up and  
4 gone through it.

5 MS. STEINGASSER: Okay. One thing we were working  
6 on is the list of where it doesn't apply. And we realized  
7 there's overlapping jurisdiction between what the BZA looks  
8 at and the historic districts.

9 Well, there's no reason for that. If the  
10 historic, HPRB has already determined it to be appropriate  
11 or inappropriate, then so we're exempting those projects out,  
12 then that will take out a lot of the row house zones.

13 But I think you're right to -- we'll get a --  
14 we'll work with the Office of Zoning on a session.

15 CHAIRMAN HOOD: We would just have that and maybe  
16 OAG on that training agenda. I don't think we had anything  
17 else. It would be good just to have those two, because I  
18 think a lot of time is going to be spent on that subject.

19 MS. STEINGASSER: Okay.

20 CHAIRMAN HOOD: Okay.

21 MS. STEINGASSER: Thank you.

22 CHAIRMAN HOOD: And we always need OAG at every  
23 training. And so, okay. All right. Anything else, Ms.  
24 Steingasser?

25 MS. STEINGASSER: No, sir. I appreciate that

1 feedback.

2 CHAIRMAN HOOD: Okay. Any other questions? All  
3 right.

4 Well, thank you, Ms. Steingasser and Ms. Vitale,  
5 for this, and Office of Attorney General for this, Mr.  
6 Bergstein, for this presentation.

7 And move that this Special Public Meeting is  
8 adjourned. We're going to need two minutes before we get  
9 into the text of the meeting-- the hearing for tonight.

10 (Whereupon, the above-entitled matter went off the  
11 record at 6:41 p.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Special Meeting

Before: DCZC

Date: 09-06-18

Place: Washington, DC

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



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