

Government of the District of Columbia

ZONING COMMISSION



Order No. 191

Zoning Commission Case No. 76-1

January 12, 1978

This case before the Zoning Commission refers to the zoning of the Southwest Urban Renewal Area, which was the subject of public hearings before the Commission on January 4, 1977 and September 19, 1977. The amendments proposed in this case would have designated a zoning map for the area, and would also have established regulations as to how that zoning would relate to the Urban Renewal Plan.

The proceedings before the Commission were instituted following resolution of court actions brought by several residents of Southwest against the Government of the District of Columbia, the Redevelopment Land Agency and several named officials of both bodies. On April 19, 1972, Judge Howard Corcoran signed a consent decree entered into between the plaintiffs and the District of Columbia defendants, in which the Mayor-Commissioner agreed to submit to the Zoning Commission within ninety days an application to zone the Southwest Urban Renewal Area, which zoning "shall conform to, insofar as possible the said Urban Renewal Plan regarding structures already erected and planned and the uses pertaining thereto." On May 4, 1972, Judge Corcoran entered a second order in which the Court directed the Redevelopment Land Agency to file a similar application. The basic thrust of this lawsuit, and the ensuing decisions from the Court, was to find some kind of mechanism to enforce the provisions of the Urban Renewal Plan without requiring civil suits by residents and property owners of the area.

The Commission heard extensive testimony on the proposed map and text, including residents of the area, citizen groups, owners of commercial property and the Advisory Neighborhood Commission. The Commission notes specifically the recommendations of the ANC, which unanimously opposed the proposed regulations.

Order No. 191

Z C Case No. 76-1

After a careful review of the proposed regulations, and after according great weight to the issues and concerns of the ANC and all other persons, the Zoning Commission has determined that it is neither necessary nor appropriate to adopt any zoning regulations applicable to the Southwest Urban Renewal Area at this time. The District Government has complied with the mandate of the Court to submit proposals for zoning to the Zoning Commission. The Commission believes that at this time it is not proper to adopt such proposals. The controls of the Urban Renewal Plan will remain in effect until 1996. At some time in the future prior to that date, it may be desirable to again consider whether and how to zone the Southwest Urban Renewal Area. At present, it is not necessary nor appropriate to consider the matter further.

The Commission determines that adoption of the proposed regulations in this case will not serve to enhance the public health, safety or general welfare. It is therefore ordered that the amendments to the Zoning Regulations proposed in this case be disapproved.

Vote of the Commission taken at the meeting held on December 8, 1977: 4-0 (Ruby B. McZier, John G. Parsons, Walter B. Lewis and George M. White to disapprove, Theodore F. Mariani not present, not voting.)


THEODORE F. MARIANI
Chairman


STEVEN E. SHER
Executive Director

This order was adopted by the Zoning Commission at its public meeting held on January 12, 1978 by a vote of 5-0 (John G. Parsons, Ruby B. McZier, Walter B. Lewis, Theodore F. Mariani and George M. White to adopt).

In accordance with Section 3.61 of the Rules of Practice and Procedure before the Zoning Commission of the District of Columbia, this order is effective on 13 JAN 1978