



chairman's update

the NEWSLETTER of
DC Council Chairman Phil Mendelson

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WHAT'S THIS "COMPREHENSIVE PLAN"?

On October 8th the Council adopted changes to the Framework Element to the Comprehensive Plan. This is a big deal because it is another step toward resolving the city's affordable housing crisis.

The Plan is a 20-year, comprehensive document intended to be a wide-ranging guide for the government, covering important issues such as housing, transportation, human services, and land use. The Framework is the introductory chapter. Under the District's Home Rule charter, zoning "shall not be inconsistent with" the Comprehensive Plan, so any aspects of the Plan that touch on land use definitely have an impact.

When the Mayor submitted proposed changes to the Framework last year, her focus was on limiting citizen appeals of Zoning Commission cases, with virtually no attention to the city's housing crisis.

The Council held a 13 hour hearing with 154 witnesses in March 2018 where the Mayor's proposal was roundly criticized from all sides. Housing advocates demanded that the Framework say more – much more – about the critical need for affordable housing and family-size housing. Civic groups condemned language that essentially gave the Zoning Commission *carte blanche* to be the sole interpreter of the Plan. And virtually everyone faulted the proposal for creating vagueness, not clarity, in this important planning document.

What the Council just approved is a substantial rewrite.

Affordable housing groups like the Coalition for Smarter Growth praised the final product: "This transformative update incorporates three of the Coalition's priorities: ensuring the creation of affordable housing, preventing displacement, and addressing racial equity."

But others, such as the DC Grassroots Planning Coalition didn't think the document goes far enough to ensure effective community participation, address racial and economic inequities, and minimize impacts such as gentrification. To be sure, these are challenges, but the new Framework addresses each in more detail than ever before – more detail than the old Framework, and more detail than the Mayor had proposed originally.

The critics also demanded deletion of language that could prevent broad socio-economic issues like climate crisis and gentrification from being considered by the Zoning Commission in its approval of development projects. While broad socio-economic issues are real and important, there are better ways to handle them, such as through the construction code and broad-based legislation. And since most development is matter-of-right (requiring no hearing or Zoning Commission approval), environmental and social justice advocates won't achieve their goals, either.

Indeed, for some the issue of land use is about stopping discretionary zoning cases: planned unit developments (PUDs), upzonings, and variances. But the city will not get better quality projects, nor meet its goal of private production of 36,000 new housing units by 2025, if discretionary cases are stopped.

Some criticisms were based on misunderstanding. The best example of this arose from changing the definitions of six land use categories. The Council received many emails from citizens upset that the "R-1-B" zone was no longer specifically listed in the low-density category – sparking concern that this was an attempt to remove single family zoning. But in fact, numerous specified zones were dropped in the final text – perhaps more than 30 across the six categories. Language was added, however, explaining that the shorter list of zones in each category is meant to be "illustrative," and that "other zones may apply," like R-1-B in low-density areas.

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Constituent Services Corner

The Chairman met an elderly Ward 7 resident at a church anniversary celebration, who was in need of a replacement electronic wheelchair. He reported the issue to our constituent services team and they sprang into action.

The team checked and Medicaid did not cover the cost of a replacement wheelchair for the resident. But after several months of research, they discovered a local non-profit that collects donated electronic wheelchairs. We were then able to connect with them to acquire one for the elderly woman.

Helping District residents in need is right in our wheelhouse. Call our constituent services team today!

**Contact our
Constituent Services
Team at
(202) 724-8032**

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Yes, there is at least one councilmember who wants to get rid of single-family detached zoning as a strategy to encourage increased housing density. Minneapolis did this a year ago. It appears, though, that a majority of councilmembers may not agree. The District has significantly less residential land zoned exclusively for single-family housing than other cities (for instance, 36% in DC compared to 70% in Minneapolis), and also, the District permits housing in every zone except industrial. While this idea of getting rid of zoning exclusivity for single-family detached housing may come up again, the Framework just adopted by the Council does not do this.

The Plan is supposed to be updated – amended – every five years. The math doesn't quite work: in 2010 the Council adopted amendments initiated by then-Mayor Fenty, and then in January 2018 Mayor Bowser began the second round of amendments by submitting a revised Framework Element.

Now that the Council's work on the Framework is finished, the Office of Planning released proposed changes to the rest of the Plan (some 24 chapters, or "elements") on October 15th. The public comment period will end in January.

In the end, the Plan is important if for no other reason than that the Zoning Commission – and, therefore, developers – must pay attention to it.

A Word on Donald Trump

I generally refrain from discussing national issues in this newsletter, but I must comment on the most recent controversy involving President Trump. Very simply, the right to vote, and by extension our election process, is fundamental to our democracy. This is why the courts have declared "one man, one vote," and we struggle to find ways to limit campaign contributions: because money enables speech which is critical to elections. Interference in our elections is wrong. So when the President asks anyone to interfere in our elections, he is wrong; it is trying to undermine our elections. Working with a foreign government to do this is even worse. Frankly, I compare it to working with a foreign government to steal secrets (spying), or steal technology (espionage). In these other contexts, we call it treason. So then it is also treason to ask Ukraine to interfere with Joe Biden's candidacy. Yes, Congress must consider impeachment.

RECENT REVENUE ANNOUNCEMENT

On September 30th the city's Chief Financial Officer announced revised revenue estimates. Revenue growth remains impressive relative to other cities and states: 3.6% this year, 4% in FY 2021. Although not in the formal estimates, the guesstimate is that Fiscal Year 2019, which just ended, will show an approximately \$250 million surplus. We'll know the exact amount when the Comprehensive Annual Financial Report is released next February 1st.

Before everyone goes crazy that the city has huge reserves and let's spend the surplus on one program or another: take a breath, all the money has been allocated. Roughly \$70 million will fill up our reserves (rainy day fund) to the recommended best practice of an amount equivalent to 60 days' operating costs. We saw the value of this during the five-week federal government shut down last January. Some of the surplus (when it was predicted last February) was put in the FY 2020 budget we adopted in May. The remaining surplus is 100% allocated: 50/50 to the Housing Production Trust Fund and to "paygo" capital infrastructure funding.

About 48% of the city's \$3 billion General Fund balance is in the reserves. You may ask: what about the remainder, why can't we spend that on important programs? Well, about 20% is legally required debt service reserves that must be held, untouched, for bondholders. Almost 20% is budgeted for the new fiscal year – appropriated as part of the current year, FY 2020 budget. And roughly 13% is reserved for other purposes – what we call special purpose funds for specific programs such as environmental cleanup, utility and insurance regulation, and so forth.

When we testified before Congress urging statehood, one of our arguments was that the city is well run and in very good financial shape. We have the ability to pay for needs such as public education and affordable housing – and spend more in these areas than any other city. And we have the resiliency to withstand a recession that some economists predict could happen soon.

Upcoming Hearings of the Committee of the Whole

**Joint Public Hearing:
Organ, Eye, & Tissue
Donation Education
Amendment Act (B23-94),
Students' Right to Home or
Hospital Instruction Act
(B23-392),
Dyslexia and Other Reading
Disabilities Screening &
Prevention Pilot Program
Act (B23-150)**
October 21, 2019
10 a.m. Room 412

**Additional Legislative
Meeting**
October 22, 2019
11 a.m. Room 500

**Regular Committee of the
Whole**
October 22, 2019
10 a.m. Room 500

**Public Hearing:
Go-Go Official Music of the
District of Columbia
Designation Act (B23-317)**
October 30, 2019
4 p.m. Room 500

**To Testify Contact the
Committee at
202.724.8196 or email
cow@dccouncil.us**



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