

Memorandum ● **Government of the District of Columbia**

TO: Ben W. Gilbert, Director
Municipal Planning Office

Department, Corporation Counsel
Agency, Office: L&O: BFG: fm

FROM: John R. Risher, Jr.
Corporation Counsel, D.C.

Date: April 8, 1976

SUBJECT: Zoning Commission and Board of Zoning Adjustment
Notice Procedures for the Advisory Neighborhood
Commissions

Sections 13(a), (b) and (c) of the D.C. Law 1-53, "Duties and Responsibilities of the Advisory Neighborhood Commissions Act of 1975" (hereinafter, the Act), require that every agency within the District Government give notice of proposed action to all Advisory Neighborhood Commissions.

The Zoning Commission and Board of Zoning Adjustment have raised questions as to what they must publish to satisfy the requirements of the Act.

With regard to the Zoning Commission, notice of proposed action must be placed in the D.C. Register, which will be distributed to each Advisory Neighborhood Commission pursuant to section 13(b) of the Act, at three different stages of the Commission's deliberations:

1. At the time of the filing of the application.

This will serve to put all Advisory Neighborhood Commissions on notice of any zoning change proposed by the application and also that the Zoning Commission will make a determination at a future public meeting as to whether to set the matter down for a public hearing.

2. At least 30 days (40 days for Part II hearings) prior to the scheduled date of a public hearing.

This notice will provide a summary of the proposed amendment of the zoning regulations and boundaries affected, as well as the precise time and date of the hearing.

3. Publication of orders adopted by the Zoning Commission.

This publication will be inserted in the D.C. Register after the thirty-day period during which the National Capital Planning Commission may submit comments to the Zoning Commission on the Federal impact of a proposed order.

The only publication requirement for the Board of Zoning Adjustment, pursuant to the Act, is publication of notice of public hearings which includes appropriate information as to the decisional process.

JRR,Jr.