October 10, 2019

The Honorable Robert C. White, Jr.
Council of the District of Columbia
and Chairman of the Committee on Facilities and Procurement
John A. Wilson Building
Suite 107
1350 Pennsylvania Avenue NW
Washington, DC 20004

Dear Councilmember White:

As an Advisory Neighborhood Commission that follows closely executive agency actions affecting our Commission area and submits comments regularly on agency proposals and decisions, we greatly appreciate the proposed legislation “ANCs' Participation in Planning Amendment Act” (B23-0245) which is scheduled for a hearing in your committee on October 16. The bill would amend that Advisory Neighborhood Commission Act of 1975 (D.C. Official Code § 1-309.10(c)(1)) to require the executive to provide notice to ANC{s} and an opportunity for ANCs to submit comments and give “great weight” to ANC comments on any proposed changes to the District Comprehensive Plan. This is a significant addition to the list of executive policies and actions already covered by the “great weight” provision in existing law. The legislation has our whole-hearted support and we hope the Committee will take quick action to move the bill to the full Council.

ANCs’ ability to perform their mandated functions depends heavily on the provisions of DC Code establishing executive agencies’ responsibility to give “great weight” to ANC comments which to this point included only a “final decision or guideline with respect to . . . comprehensive plan.” The Comprehensive Plan can have substantial effects on each Commission area, and it is extremely important for the executive to give “great weight” to the “issues and concerns raised in the recommendations of the Commission . . . during the deliberations of the government entity” on proposals to change the Comprehensive Plan, whether amendments or updates or a complete new plan, per § 1-309.10(d)(3)(A) and (3)(B) and (3)(C).
Of all the plans and policies that ANC review, proposed amendments to the Comprehensive Plan are among the changes that have the most widespread effects on residents and are of greatest importance for ANC to have their comments be heard. Though the Council has final authority to approve changes to the Comprehensive Plan, and the Council generally holds hearings on updates and amendments to the Comprehensive Plan, it is extremely important that ANC comments on these matters be considered by executive staff members who have detailed knowledge of the subject area and are formulating the language to be forwarded to the Council.

The most effective approach is for ANC comments to be given full consideration by the executive agency while it is developing prospective policies and amendments, evaluated by technical experts and weighed in comparison to all the information and recommendations received from other parties, including other ANCs, before proposed changes go to the Council. Because the “great weight” provisions also require the executive agency to articulate specific responses to each issue and concern raised by an ANC, the Council will receive a full record of ANC comments and the agency’s responses to them as the Council is conducting its own review and deliberations. Those benefits would be difficult to achieve if all those steps had to be fit within a hearing process at the Council.

It seems clear from the other provisions of the law on Advisory Neighborhood Commissions that ANCs are intended to have “great weight” on important plans made by the executive. B23-0245 will help accomplish that goal and remedy a major shortcoming in current District Code related to ANCs. We urge the Committee to adopt the bill and send it forward to the whole Council so it can be passed by the end of this year.

Thank you for your consideration.

Sincerely,

Brian Turmail
Chairman

cc. Council Chairman Phil Mendelson
Councilmember Mary Cheh
Secretary of the Council
Office of Advisory Neighborhood Commissions

This letter was approved by a vote of 5-at a duly noticed regular public meeting at which a quorum was present. (Three of the five Commissioners constitute a quorum.) With that vote, the Commission also designates the Chairman or his designee to represent the Commission on this matter.