

Bond Case Briefs

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ZONING - DISTRICT OF COLUMBIA

D.C. Library Renaissance Project/West End Library Advisory Group v. District of Columbia Zoning Com'n

District of Columbia Court of Appeals - August 8, 2013 - A.3d - 2013 WL 4016278

Association organized to protect neighborhood library, which was to be demolished and replaced as part of planned unit development (PUD), filed petition for judicial review of Zoning Commission's decision to approve public contractor's PUD application.

The Court of Appeals held that:

- Association had constitutional standing to seek judicial review of Commission's approval of PUD application;
- Association had prudential standing to seek judicial review of Commission's approval of PUD application;
- Commission acted reasonably in concluding that it was not required under "adverse effects" zoning regulation to consider value of land rights being transferred to public contractor in determining whether to approve PUD;
- Evidence supported conclusion of commission that PUD would not generate adequate revenue without relief from inclusionary zoning (IZ) requirements; and
- Evidence supported commission's determination that approval of PUD would not be inconsistent with District's comprehensive plan as a whole.

An organization or association has standing to bring suit on behalf of its members when: (1) its members would otherwise have standing to sue in their own right, (2) the interests it seeks to protect are germane to the organization's purpose, and (3) neither the claim asserted nor the relief requested requires the participation of individual members in the lawsuit.

Injury in fact asserted by association organized to protect neighborhood library, which was to be demolished and replaced as part of planned unit development (PUD), i.e., that implementation of PUD would cause its members to lose the use and enjoyment of the current library and that the replacement library would be inadequate, was traceable to zoning commission's order approving PUD, and the injury was capable of being redressed by a favorable decision of the Court of Appeals, such that association had constitutional standing to seek judicial review of commission's order.