



## ZONING REGULATION REVISION — DOWNTOWN DEVELOPMENT

The Committee of 100 supports a revision of the current zoning regulations that will produce:

- A diverse and inclusive city, full of opportunity and choices in lifestyles, housing, transportation, education and employment;
- Local solutions to preserve our distinctive neighborhoods and protect the environment; and
- Decision-making that retains our rights to influence growth and change in our neighborhoods.

### How Would the Zoning Revisions Affect Development Downtown?

- The new regulations would expand the definition of Downtown so that the area encompassed in that classification would triple in size and cease to be contiguous.
- There will be no on-site parking requirements for automobiles in any new development (residential, office, retail, or institutional) within the expanded Downtown.
- Allowable heights and densities are being substantially increased in the areas newly incorporated into Downtown. Building heights in what are now C-3-C zones will increase from 90 to 130 feet and floor area ratio (FAR) limits will be eliminated. In such areas, matter-of-right development would be doubled for residential projects. Commercial development on the same scale would be regulated by a developer-controlled market in density-credits rather than the more community-oriented PUD process that currently exists in these areas.
- No public benefits are being required in exchange for this massive upzoning. Only 2 of the 11 downtown zones are subject to Inclusionary Zoning – no affordable housing will be required in the other 9 zones.
- The Green Area Ratio will not apply to any building that occupies 100% of the lot. This means that the most Intensive (and lucrative) development is likely to be the least environmentally-responsible development.
- Historic Preservation protections are being weakened. In some downtown zones, a new provision would allow a developer to build up to the Height Act limit (currently 130') on the same parcel as a historic structure. In other zones, heights could reach 90' on such lots.

## PROPOSED DOWNTOWN ZONING CHANGES

	Current Zoning	Proposed Zoning
<b>GEOGRAPHY OF DOWNTOWN</b>	The Downtown Development Overlay encompasses a relatively compact and contiguous area that functions as the city's central business district.	Downtown zoning would be expanded to include Foggy Bottom, West End, NoMA, Capitol Riverfront, and the SW EcoDistrict.
<b>BUILDING ENVELOPE</b>	In the areas currently outside the Downtown Development Overlay but mapped as Downtown under the new code, C-3-C zoning is the norm. It allows 90 feet building heights and 6.5 FAR as matter-of-right.	Allowable building height in areas newly incorporated into Downtown would be raised to 130 feet. Density restrictions on FAR (floor area ratio) would be eliminated.
<b>PARKING</b>	On-site parking is required in new development projects. The number of required spaces is a function of uses and of proximity to Metro.	No parking will be required for any type of use when new buildings are constructed anywhere within the newly expanded downtown.  Developers who choose to build "excess" parking (defined as over twice the minimum requirement

	Reductions in on-site parking requirements and/or shared space arrangements may be authorized by the BZA or the Zoning Commission on a case-by-case basis.	for a specific use) must also provide “mitigation” in the form of additional bicycle parking, bike-share stations and car-share spaces, electric car charging stations, trees on public land and up to a .1 increase in the required GAR.
<b>HISTORIC PRESERVATION</b>	The existing code requires that new development along historic frontages or on lots with historic structures must be restricted to a “suitable scale.”	The proposed code focuses only on heights and lots with historic structures (ignoring bulk and frontages) and explicitly authorizes new construction “up to the maximum height allowed under the Height Act” to be built on lots shared with historic structures in zones that encompass Farragut and McPherson Squares, Penn Quarter, and some of the land fronting the National Mall.
<b>AFFORDABLE HOUSING, OPEN SPACE, AND OTHER AMENITIES</b>	Not currently required. Can be negotiated through the PUD process in exchange for additional height and/or FAR.	By eliminating restrictions on FAR, raising allowable heights throughout most of the newly expanded downtown to the maximum allowed under the Height Act, abandoning on-site parking requirements, and replacing the PUD process with density credits, the new code would create a situation in which developers reap all the profits of increased density and government relinquishes any opportunity to require affordable housing, open space, infrastructural contributions, or other amenities as a condition of increased height or density or a as a quid pro quo in exchange for waiver of on-site parking requirements.

## What should the Zoning Commission do to get the zoning revisions right?

The existing Downtown Development Overlay was adopted at a time when DC’s population was declining, when department stores were closing, and when new development in and around the central business district was focused almost exclusively on office buildings. The overlay was designed to reinvigorate downtown by steering more arts and entertainment venues and more residential development to this area. Over the past 25 years, downtown has been transformed into a 24/7 destination and development incentives are no longer necessary.

As the hearings on the ZRR have already demonstrated, downtown neighborhoods face real challenges in balancing the needs of residents with those of businesses and visitors. Light, noise, parking, air quality, stormwater management, the provision of schools, parks, and grocery stores, and affordability are all significant issues that must be addressed if we want to build sustainable, diverse, and attractive downtown neighborhoods. Unfortunately, the proposed new zoning code not only ignores these challenges – it exacerbates them.

## TAKE ACTION

Write and tell the Zoning Commission to:

- Require on-site parking provision for automobiles as well as bikes in residential construction downtown.
- Retain existing restrictions on FAR and heights.
- Create GAR requirements for 100% lot occupancy buildings throughout the expanded downtown.
- Keep existing historic preservation standards (replace (proposed) 306.1 with (current) 1707.1(c))

Write to the Zoning Commission. The record on **Case No. 08-06A** will remain open until September 15, 2014. Mail comments to Anthony Hood, Chairman, Zoning Commission, 441 4<sup>th</sup> St., NW, Suite 200-S, Washington, DC 20001 or fax them to: ZRR Review at (202) 727-6072. The deadline to submit comments is 3:00 PM on September 15, 2014.