

Building Height – Proposed Amendments
to the Zoning Regulations
ZC 08-06-1 – September 25, 2008

The Committee of 100 on the Federal City

The Committee of 100 on the Federal City has been a strong supporter of the Height of Buildings Act for decades; we believe its character-defining effect on the District has been essential to the appreciation of the Nation's Capital, as well as assisting in maintaining the human scale of many neighborhoods. The pressure to expand the development envelope has been a constant in District land use and may have led to some less-than-wise proposals for change.

Overall the OP recommendations need to be reviewed with a sense of perspective. The recommendation to change the penthouse limit from 18.5' to 20' (for reasons that don't stand up well) needs to be considered in light of different base building height limits. Adding another 20' to a 40' building is profoundly different than adding it to a 10-story building. Even so, changing the measurement to allow a full two additional floors of development crosses a threshold that should be protected.

In considering rules for measurement of buildings, the top measurement point should be the highest point of a building, and not the ceiling of the top story; much mischief is otherwise licensed.

As to other specific recommendations, the Committee would largely agree with **#1, #2, #4, #5, and #6**, and will be submitting suggestions for language that would strengthen and/or clarify them.

Recommendation #3 should be amended to extend to any residential property, regardless of density. It should also clearly provide for step-downs from business streets to significantly lower residential streets.

Recommendation #7 moves in the right direction, but it needs to make clear that berming and shaping are unacceptable alterations to the natural grade.

Recommendation #8 should be amended to eliminate language that appears to license violation of the Height Act.

Recommendation #9 should not include the new "communal" activity functions now introduced. These activities could greatly affect neighboring properties; parsing definitions seems a particularly unwise indulgence of development interests.

Recommendation #10 needs considerable policy guidance from the Commission. "Ornamental features" is a term that needs a great deal more specificity; as written, the relief through Special Exception review would not seem possible under the Height Act.

Recommendation #11 and 12 need to reflect the policy set forth in the Comprehensive Plan regarding party walls; they should be treated as other exterior walls are treated. The proposed language is inconsistent with the Comp Plan language. (Were an adjacent building razed, there is no doubt that the party wall would be the exterior wall.)

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Zoning Chair