

# The Committee of 100

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on the Federal City



Via Email

March 18, 2024

Mayor Muriel E. Bowser  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004

Members of the Council of the District of Columbia  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004

Dear Mayor Bowser and Members of the Council of the District of Columbia:

The Committee of 100 on the Federal City found the Downtown Action Plan Highlights (the “Plan”) unveiled in February by the Downtown BIDs and Federal City Council not only unsatisfying, but also deeply troubling. By its terms, the Plan outlines investments and policies designed to restore Downtown DC’s tax revenues to pre-pandemic levels. However, the proposals would jettison critical programs that help residents, sustain the environment and protect the architectural discipline that makes DC admired by domestic and international visitors. The Plan’s approach is speculative and based on the wish lists of developers.

While other parts of DC are recovering from the pandemic, Downtown has lagged behind. Historic overreliance on office and commercial space is a cause. The Committee of 100 agrees that Downtown DC needs reimagining, but while relying on those heavily invested in the real estate market to frame the future may help them to recover from financial crisis, it would be at the expense of the city as a whole.

We look forward to seeing the full version of the Downtown Action Plan when it is released in May. We assume the early elements covered in the Highlights may be included in the Mayor’s FY2025 budget to be released on March 20 and in the FY 2025 Budget Support Act. In anticipation of the release of the budget and the later release of the full Downtown Action Plan, we focus herein on key citywide values that should not be diluted as the Plan moves forward. These fundamental values should not be compromised in the budget or in the Downtown Plan.

- I. The Plan calls for an effort to amend the Height of Buildings Act by studying areas where modest increases in height caps could maximize affordable housing opportunities. No evidence is provided to show that increasing building height limits will increase affordable housing opportunities. Indeed, this notion was debunked 10 years ago when a similar effort by a previous DC administration failed. The renewal of this effort is a transparent attempt to

sacrifice the city's iconic skyline for developer gain. There is no affordable housing requirement applicable to Downtown, and the authors of the Plan haven't made the case that building above the height limit would result in affordable housing. This issue was fully studied in 2013 with the conclusion that luxury housing priced units would result. The Height Act has shaped Washington's horizontal skyline, views, and street-level character and is a valued urban design principle and important part of planning in the nation's capital.

**Leave the Height Act alone.**

- II. The Plan calls for the promotion of more flexible affordability requirements to increase the supply of workforce housing. This is a curious statement since Downtown is exempt from current affordability requirements and the Bowser administration has consistently resisted attempts to expand the Inclusionary Zoning Program to cover Downtown. While we need workforce housing, we have a critical need for affordable housing at income levels much lower than workforce housing levels. **The administration should persuade the Zoning Commission to require Inclusionary Zoning downtown.**
- III. The Plan calls for introducing flexibility in meeting the District's **Building Energy Performance Standard (BEPS) Program**. The mayor tried to suspend this program last year, and the BIDs are encouraging her to do so again. DC shouldn't jeopardize meeting the 2030 goals for reduced gas emissions and energy consumption by postponing or freezing BEPS implementation. The buildings and construction sectors are by far the largest emitters of greenhouse gases. **Not enforcing building standards where significant development is envisioned will not only delay the city's responsible response to the climate crisis but will deepen the crisis in DC.**
- IV. The Plan calls for evaluating modifications to the Historic Preservation Review Board process to ensure a productive balance between housing supply and preservation goals. This notion demonstrates a lack of understanding of the HPRB standard of review. HPRB reviews show developers how they can design projects in historically designated areas to respect the integrity of the place or area where they want to build. These reviews have nothing to do with housing unit yields, which is under the jurisdiction of the Zoning Commission, not the HPRB. The logical way to produce more affordable housing is to amend zoning law. **Don't amend the DC Historic Preservation Law.**
- V. The Plan calls for a 10-year suspension of the **Tenant Opportunity to Purchase Act (TOPA)** for new housing that is not replacing existing housing. TOPA provides a process for tenants to buy their buildings when they go on the market before the building is sold. It is a longstanding and unique DC program that helps households gain equity and housing predictability and often maintain housing affordability. **DC shouldn't turn its back on the rights of tenants in any part of the city or deny this right to tenants of any income.**
- VI. We also see it likely that downtown developers will seek an exemption from the **First Source Program**, which has been the foundation of DC's unemployment strategy for over 30 years. The mayor called for dropping this Program as part of last year's budget process. Helping

unemployed DC residents, particularly those living in Wards 7 & 8, get jobs should be a priority in rebuilding downtown. **The First Source Program should not be abandoned.**

We encourage the Administration and the Council to keep these values front and center as you frame a workable and responsible plan for downtown. Finally, there needs to be broader engagement with all stakeholders as the Downtown Action Plan is implemented. We are disappointed that the Highlights proposes the Implementation Team be limited to DMPED and the BIDs. Community stakeholders, including the Committee of 100, need to be active participants.

Respectfully submitted,



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Addressees:

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