

The Committee of 100

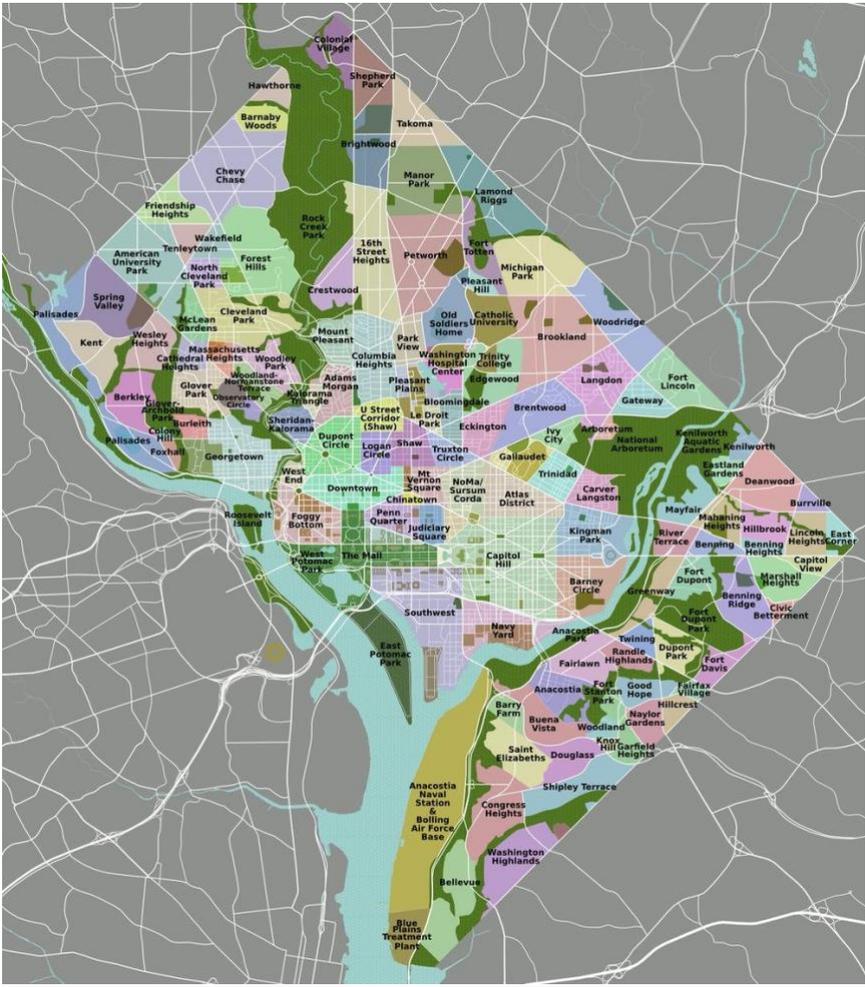
on the Federal City



UNMASKING THE REWRITE: **How to Make the Comprehensive Plan Work for DC**

An Assessment of Selected Elements

1st Edition, December 2020



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The Committee of 100 on the Federal City
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I. Introduction and Major Conclusions

More than anything else, the D.C. Comprehensive Plan must authorize policies that guide how District land is used for the benefit of all its citizens. The Plan is the blueprint for how the District will use its land and apply its land use policies to ensure the health, safety, and prosperity of all its citizens. Large segments of the District population are struggling, and policies are either not being implemented or are not written to favor everyone. Thus, the current Plan has failed, and the proposed amendments must be scrutinized for how they will advance unmet goals and reverse the imbalance in winners and losers. *We must unmask the Mayor's amendments and see them for what they are: a radical rewrite of policies and actions governing future land use in our city.*

Detailed analysis of the explanatory text, policies and actions in the Mayor's Comp Plan Rewrite reveal serious flaws that would cripple citizens from participating meaningfully in land use decisions and perpetuate gentrification throughout the city.

The Plan fails to reckon honestly with the city's inequities and past failures, laying the groundwork for repeating the same mistakes in the future.

Current land use policies have permitted the worst gentrification in the nation with the accompanying displacement of tens of thousands of Black residents, many among the District's most vulnerable people. The vision of an inclusive city has not materialized and the promise of revitalized neighborhoods with strong education options, a safe and clean environment, vibrant commercial areas with essential services, job opportunities for all residents, and healthy recreation opportunities have not been attained throughout the District.

The amendments do not describe adequately the extent to which the District exists in two separate economies. It recites inequities, then goes on to propose policies that will exacerbate the situation. The 2006 Comprehensive Plan outlines supportable goals, but the policies written to achieve those goals allowed them to benefit the few and deepen the prosperity divide and, in some cases, end life-long ties to the District.

Faulty data, missing data and discredited theories underlie the policies and actions promoted in the Plan.

Unsubstantiated rapid population growth figures justify build, build, build. The Council and the Office of Planning rely on population forecasting *from developers* that assumes the explosive growth of the past will continue into the future. City in-migration has declined every year since 2013. According to the Office of the Chief Financial Officer, the District's population grew by only 4,202 in 2019, the smallest increase in 12 years, with a total net increase in the adult population of only 398. These numbers are nowhere to be found in the Amended Plan, but they do not support the need for 36,000 additional housing units (24,000 market rate units and only 12,000 "affordable" units). The Council should reconcile conflicting population growth projections and assess how long, in a post-COVID world net out-migration could last.

The most basic data and impact studies required for competent decision making are missing.

While virtually everyone agrees that there must be more affordable housing in this built-out city, it is difficult to plan when the most fundamental information is lacking. For example, to develop the best policies and actions to create housing we need to know – and the amendments do not tell us:

- The number of housing units built from 2000 to at least 2017 in each planning area, and by ward if that is how the data sources are organized.
- The difference in the number of Black households and White households by ward and planning area from 2000 to 2017.
- The number and types of new housing units for residents with incomes between below 60% Median Family Income built in each ward and planning area between 2000 and 2017 compared to the number of units built without income set asides.
- The number of rental or ownership affordable housing units preserved in each ward during that time period.
- The number of rent controlled units and length of unit occupancy.
- A detailed list of problems with rent control as currently structured.

Impact studies of far-reaching proposed density increases are entirely missing from the amendments. What is the capacity of current infrastructure – roads, transit, schools, water and sewer, etc. -- to support massive new development along designated corridors and sites? How will the proposed changes affect the built and natural environments? We cannot make wise decisions about far-reaching change in the city without clear information on the anticipated effects of that change. In addition, the future should build on what we know has worked and what has failed. The amendments should present that analysis but rarely do we find scrutiny that could lead to improvements in outcomes. The Office of Planning must be guided less by ideology and more by transparent and critical analysis.

The lack of data throughout the Plan gives the public little confidence that this document is sound and that the public should rely on it to determine the city's future.

Discredited supply side theories assume that abundant market rate housing will trickle-down in lower rents and help solve the affordability crisis.

The oft-repeated theory that an abundance of market-rate housing will result in lower rents may, over a long period of time, marginally affect the supply of affordable housing by making some of the less desirable properties more affordable. But it will not prevent “naturally occurring” affordable housing from disappearing, especially since it is likely to be a desirable target for redevelopment. We cannot “develop” our way out of the affordable housing crisis. Only intentional governmental action to develop and support low income housing will work.

The discredited trickle-down approach to affordability should never be included in the Comprehensive Plan; it is unproven and perpetuates the affordable housing crisis, announcing

to the growing numbers of low income households that they will see many more cranes but not on affordable housing projects. It also sends the message that the DC government is more interested in helping the private real estate industry than it is in ensuring that every resident has decent housing in a livable and safe community.

The Mayor's amendments would disempower residents and undercut the Council by transferring power over land use decisions to the Executive and the unelected Zoning Commission.

Emasculated verbs ensure that the Plan's policies and actions waive accountability for performance, weaken enforcement and create immunity from court challenges.

Avoidance of citizen lawsuits is a prime driver of the amendments, yet when the Court of Appeals remanded cases back to the Zoning Commission for justification, the court did not fault citizens for bringing these suits; rather, it rebuked the Zoning Commission for failure to justify project approvals consistent with the Comprehensive Plan. The amendments with their vague language would remove the ability of citizens to contest projects they feel are not in the best interest of their neighborhoods, a highly undemocratic approach.

protect – a meaningful verb -- becomes *respect* (an attitude)

retain *encourage*

ensure *promote*

must *should*

shall *should*

pursue *consider*

The amendments are a developer's dream ...and a nightmare for neighborhoods.

Throughout the entire 1,500 page Plan, OP has amended policies to drastically reduce neighborhood influence on development. The amendments preserve text acknowledging that successful neighborhoods have certain assets and amenities but then *downgrade the guidance that these attributes must be protected and created where they do not exist.* OP lays the groundwork for abolishing long-standing policies citywide that protect viewsheds, neighborhood character, the Height Act and historic resources without any evidence that they are culprits in the housing affordability crisis. The implication is that the city must have one-size-fits-all high density without restraint if it is to achieve affordability, and that all other considerations are of little value. The door is thrown open for greater tax abatements for developers, fewer regulations and no accountability for performance.

The Plan is astonishingly weak on policies and actions to achieve affordable housing or build generational wealth.

As written, the amendments will not achieve affordable housing for those most in need earning 50% or less of Median Family Income. Specifically, there are no policies that require:

- Assurances against displacement;

- Substantial new city investments in public housing;
- Expansion and reform of rent control;
- Lifetime affordability requirements for investment of public funds;
- Permanent supportive housing for the unhoused;
- Targeted public investment and disposition of public lands to improve services and amenities in underserved areas; and
- Equitable development that mandates full participation by long-term community members in the destiny of their neighborhoods.

The assault on single-family zones will negatively impact Black family homeownership and the capacity for generational wealth-building.

The very large lots in R-1-A neighborhoods, mapped exclusively in Ward 3 or Rock Creek West, are likely to remain untouched. The small residential developer will focus attention on the R-1-B neighborhoods throughout the city, particularly those in Wards 7 and 8 where land is less expensive. Such neighborhoods face the prospect of small apartment buildings sandwiched between single-family houses as infill developments on vacant lots or teardowns of existing buildings accelerates. The predictable outcome will be rising tax bills for existing households and the inability of new families to buy houses when they come on the market because they will be outbid by developers. The last “affordable” neighborhoods for families, especially middle- and lower-income families, will be priced beyond their reach. *The real “missing middle” are households that without being highly affluent, are self-sustaining and seeking to build a traditional family life in a single-family house in the District.*

The Plan is not a plan at all but a pastiche of problematic prescriptions. Conceived though a chaotic process, it is not based on a foundation of good data, community visioning, evaluation of alternatives or building consensus.

The wide-spread myth is that, after three long years of discussion about the amendments, the Plan has done a good job of engaging people and that most agree with what the Mayor has decreed. The cry to “Pass it all and pass it now” expresses this sentiment. But the reality is that the planning process and the 1,500 page document it has produced are intimidating and incomprehensible to most people. This has been a top-down selection of policies and actions that pave the way for massive development with few checks and meaningless citizen participation.

The worldwide Covid-19 pandemic of 2020 has had a devastating effect on individuals and businesses in our city. No one knows what the long term effects will be, how the demand for office and commercial space will change, who will move in and who will move out of the city, or what it will take for the city to get back on its feet. The Plan deals with none of these issues. However, *on its own terms, aside from the effect of the pandemic, the Plan is a failure.*

In sum, the amendments represent an attack on neighborhoods, position the Office of Planning to determine land use decisions, and invite developers to pursue whatever level of development they desire throughout the District’s neighborhoods.

The Committee of 100 on the Federal City (C100) has analyzed selected policies and their amendments and offers guidance on how Council might rewrite these policies to ensure that the implementation of District land use goals and citywide values will meet the needs of all District residents. The pervasive effort to render clear policy directives vague and optional contributes to an outcome that many residents from across all wards have decried as unfair and designed to marginalize them. It is our hope that the Council will take the time necessary to ensure that those who are often voiceless can rely on the Comprehensive Plan to reflect their interest in living and thriving in the District. A goal of this amendment cycle should be to approve clear, simple messages declaring how the city should grow and how all citizens will benefit.

We urge Council to either substantially rewrite the amendments or
table the whole thing indefinitely.

II. Land Use Element

The preeminence of the Land Use Element must be retained and its broad policies must continue to intersect with each of the citywide elements. Importantly, this element should continue to inform the Future Land Use Map. The intentional framework of the Plan is to establish core policies in the Land Use Element that are further described in subject elements. Yet the amendments are complex, unwieldy, ambiguous and often unclear.

Recommendations

- **Retain the prominence of the Land Use Element and continue to give its policies and objectives greater weight than the other elements. The amendments would delete this element's greater weight. (300.3)**
- **Retain language ensuring the efficient use of land resources to meet long-term neighborhood, citywide, and regional needs, etc. Delete the substitute amendment that land resources "should be used efficiently." (302.1)**

Population Growth

Accurate population figures are critical to planning how the District will achieve a more equitable city. The emphasis on developing and redeveloping land for primarily market rate housing went into overdrive after the 2008 recession when many young people came to the District to find jobs unavailable in other parts of the country. This well-publicized phenomenon became an opportunity to maximize greater revenue production from parts of the city viewed as underproductive. All other interests were subsumed to facilitate private market development. *The result was re-envisioned neighborhoods appealing to new residents and displacement of over 40,000 Black residents between 2000 – 2017.* This was a subversion of the intention to use the Comprehensive Plan to responsibly and equitably grow the city.

The Comprehensive Plan amendments are largely premised on the continuation of large population increases that necessitate certain policies. *C100 believes the projections are unrealistic and that relying on them will likely mean further disruption of our neighborhoods to make way for lots of unnecessary expensive high-rise housing when we should be focusing on revitalizing neighborhoods and improving equity and opportunity throughout the District.* Since the amendments were submitted to the Council, reports from developers and others reveal a significant increase in vacant apartments in high-rise buildings and an increased demand for single-family housing – the housing that the Office of Planning seeks to decrease with these amendments.

The Council and the Office of Planning rely on population growth forecasting from developers. The Metropolitan Washington Council of Governments (MWCOC) largely relies on job growth projections from its partner jurisdictions. MWCOC uses a metric that assumes 1.54 jobs per household. Then they compare the number of households needed to fill the expected jobs to the anticipated housing available. Using this formula MWCOC estimates that the region needs 65,000 more units than currently planned by 2025 and 100,000 more by 2045. The

Mayor is calling for 36,000 more units by 2025 in DC alone - where new housing production has far outpaced its regional neighbors for years.

We strongly urge the Council to evaluate the methodology and the forecasts that the Office of Planning presents in the amendments. If DC used the MWCOG methodology, the growth projections would be based on adding 247,000 jobs by 2045 per the Department of Employment Services (DOES) or approximately 9,800 new jobs annually,¹ which is substantially more than the 7,000 jobs per year created between 2005 and 2015, and at least 30% higher than the Office of the Chief Financial Officer (OCFO) forecasts for 2020 through 2022. In addition, OCFO forecasters have been predicting a surplus of new market rate housing at least through 2022 and either low rates of population growth or recurring out-migration higher than in-migration, as occurred in 2018 and 2019. Whether using jobs or population growth as the basis for right sizing housing growth, the Office of Planning (OP) method of forecasting is questionable and does not lead to the extreme policy changes presented. *It is irresponsible for the Council to ignore the discrepancy in growth predictions, especially with troubling signs that the public health pandemic will significantly affect urban population trends and job retention and creation.*

Underlying the C100 comments is reliance on the OCFO data on population growth. New development will continue, but policies directed to facilitate and incentivize market rate development should be rewritten to emphasize housing for those who are housing burdened and to create more opportunity throughout the District. With clear and strong policies and actions, program and funding priorities will result.

Recommendations

- **Supporting Growth should be retitled and rewritten to acknowledge a more realistic growth vision and emphasize a heightened focus on low income residents and neighborhoods with policies ranging from education and jobs to commercial areas, housing, and open spaces.**
- **All subsequent sections that refer to growth in population should be rewritten to reflect more accurate growth projections and the predominant emphasis on preserving and producing affordable housing for those in greatest need at the lowest end of the income scale.**
- **The Future Analysis Areas amendments should be deleted and specific planning policies for large tracts, including policies for flood areas, should be moved to the area elements. While some of the identified analysis areas include federal property that will be re-envisioned for appropriate local use, many of these areas are in built-out or are adjacent to communities, and the residents should be engaged in a community-led rather than a top-down planning process that is premised on outcomes that will benefit those communities. In addition, many of the identified areas are in the most underserved parts of the city and are susceptible to gentrification from insensitive**

¹ Economic Development Element amendments, 700.10 and 702. 6

development that is not premised on providing a better living situation for current residents living in the planning area.

Strengthening the Core

This section includes policies that have created a build-out of the shiny new central city that is inaccessible to most Washingtonians. More than 25% of housing development between 2000-2017 occurred in this area, but, because the Comprehensive Plan is silent on affordable housing programs, the Zoning Commission permitted developers to build in downtown without an affordable housing requirement. The amendments do not address this omission. Further, the overall area of downtown was expanded three-fold under the 2016 Zoning Regulations. *To remedy the lack of an affordable housing requirement, the Council can, however, add policy language to make it clear that all new construction over 10-units must provide affordable housing – no exceptions.*

The Council should also evaluate whether the current policy that authorizes expansion of the Central Employment Area (CEA) is warranted and a wise use of finite land. The federal government is contracting, not expanding, in DC so leveraging more CEA acreage for federal leases is questionable. In addition, the Office of Planning states in the amendments – prior to the abandonment of office settings for home settings due to the Covid 19 pandemic - that there is enough commercial space to accommodate its most optimistic projected growth in jobs. The OCFO forecasters agree that there is more than adequate supply for the foreseeable future demand, which may decrease post-pandemic. *Thus, dedicating more land to downtown levels of office production is not warranted.*

Stretching the CEA to the Anacostia River and Ward 8 would allow the highest density office and mixed-use development in the city along with hotel, entertainment, and expensive housing in Ward 6 and Ward 8. It is difficult to imagine how this development pattern would benefit Ward 8 residents who are among the lowest income in the city, and how gentrification and displacement that accompanied less dramatic development in other low-income parts of the city would be avoided.

OP has included an amendment that acknowledges flood risk if the CEA is extended. C100 does not believe there is a need to expand the CEA boundary to the Anacostia River, but it is important that the Land Use Element include a strong and clear policy guiding appropriate development in the 100-year and 500-year floodplains since significant, and even catastrophic, flooding events are likely to be recurring events based on climate change effects. Public or private investment in floodplain areas should not gamble with lives and property in parts of the city where disasters can be foreseen and cannot be controlled, especially when there are alternatives to use these areas for positive environmental purposes.

Recommendations

- **Write a new policy that every part of the District zoned for multi-family housing of 10 units or more is required to provide affordable housing.**

- **Reconsider the expansion of the CEA and state that there are opportunities to re-envision existing commercial spaces to meet future demand.**
- **Strengthen the policy on new waterfront development to prohibit development in the floodplain that could not withstand up to 500-year flood events.**

Suggested Language Changes/Additions

- **LU-1.2.4: Urban Mixed Use Neighborhoods.** Emphasize affordable housing over market rate housing.
- **Action LU-1.2.C: Development of Air Rights and Action LU-1.2.D: Development on Former Federal Sites.** Amend to stress affordable housing and not market rate housing.
- **LU-1.2.2: Central Employment Area and the descriptive language in LU-1.2.5:CEA Historic Resources.** Restore “protecting” historic resources.
- **LU-1.2.6: CEA Edges.** Restore the stronger language.
- **Action LU-1.2.A: CEA Area Boundary.** Delete language that aims to persuade NCPC to agree to expand the CEA boundary and reconsider whether the District Elements should adopt such a large CEA.
- **LU-1.3.7: Protecting Existing Assets on Large Sites.** Restore “protecting” existing assets such as historic buildings, site plan elements, vistas, and major landscape elements.
- **LU-1.2.8: New Waterfront Development.** Insert stronger language that development in flood risk areas must avoid flooding.
- **LU-1.2.9: Public Space Design.** Replace 100-year flood event as the standard with 500-year flood event.

Large Tract Sites and the City Fabric

Most of the listed large sites are clustered along the Anacostia River in some of the most underserved parts of the city. The McMillan Reservoir and the Armed Forces Retirement sites in the northeastern part of the District are also highly valued large tract sites. Some of these sites have been master planned, some are contested as promoting the wrong land uses, and some have yet to be planned. In every case, the District has an opportunity to make a significant impact on the inequity of burden and opportunity experienced by so many Washingtonians. *Each of these sites should be planned or reassessed to emphasize benefits for the adjacent communities; to meet the gaps in services and amenities for these communities; and to ensure that residents will not be displaced, will not face worse economic challenges, and will be able to direct how these sites will enhance their lives.*

Policies guiding the planning and development of large sites must be unambiguous. The Office of Planning (OP) prefers what it calls “high level” policies so it has maximum flexibility to do what it wants. This does not work in the District where residents often feel that OP is an adversary and is working on behalf of developers and not ordinary residents. Community led planning should be the model in the District.

Requirements that require sustainable and environmentally sound design must replace more permissive language. The description of the public benefits that must be maintained or provided on large sites should be specific to each site and the needs of the surrounding community and be detailed in the area elements. Market rate housing and downtown-style employer attractions may not be suitable for all sites; but, if the policy is written to permit it, an opportunity for a use the community really needs may be lost.

The intention to protect historic assets on large sites must also be unambiguous. The District is rich with examples of innovation and architectural excellence, as well as cultural antecedents that explain how our communities have developed and, in some cases, how the nation has evolved. It remains important to continue to protect historic buildings, landscapes, vistas, and other historic elements on large sites. The amendments universally remove “protecting” these assets in the Comprehensive Plan and state that going forward we should only “respect” these assets, a term which carries no meaning in land use regulation. This would have profound consequences for the District and would not respond directly if harm has occurred through historic preservation actions. The C100 is not aware that the OP has asserted that the creation of historic districts, which include a wide range of District neighborhoods, was motivated by or facilitated discrimination. Council should strengthen language to protect historic assets.

Recommendations

- **Write a new policy that states the District’s approach to historic preservation.**
- **Strengthen policies on large sites so that that they enhance surrounding communities.**
- **Enforce preservation laws addressing historic sites and structures.**
- **Ensure planning fully engages the community in directing any future development and in re-envisioning plans to assure they represent the needs and concerns of the community.**

Suggested Language Changes/Additions

- **LU-1.3.2-Mix of Uses on Large Sites.** Retain existing language ensuring that new uses on large sites are compatible and benefit the surrounding neighborhoods. Delete the weaker substitute amendment language.
- **LU-1.3.4.** Retitle and delete the vague language about innovative zoning and begin sentence with “Require the application of sustainable design and resilience principles.”
- **LU-1.3.5.** State with more clarity the use of publicly owned sites. Only one sentence is needed and it should state: “On District owned properties where development occurs, the needs of the surrounding community, including affordable housing, new parks and open space, health care and civic facilities, public education facilities, and job creation uses, must be the priority in planning the site.”
- **LU-1.3.** State that the objective for development along the Anacostia Waterfront is to enhance the existing communities with development, services, and amenities that are lacking and can be provided without displacement. *Including equity in a long list of goals for redevelopment along the river is meaningless unless the policy is rewritten to stress that past actions that led to displacement will not be allowed here.*

- **Action LU-1.3.B: Encouraging Livability of Former Federal Lands.** Restore “ensuring mixed use neighborhoods,” and insert that affordable housing shall be a significant element of development on these sites.
- Beginning with **LU-1.3.7**, the amendments referring to historic assets, districts, or landmarks that strike “protect” and replace it with “respect” should be reversed so that the original language is maintained. Additional text should state whether, in the past or present, per OP findings, historic preservation has been used as a tool to discriminate. *It is the law and policy of the District that preserving our past will not harm, denigrate or intimidate any person.*

Transit-Oriented and Corridor Development

The amendments seek to replace policies that promote adapting residential development around Metro stations to the opportunities and constraints existing at each station. New amendments display an urgency for dense and rapid development to accommodate intense population growth that isn’t supported by the OCFO’s population forecasters. This section should be carefully reviewed to assess if it reflects the needs of DC residents.

OP has deleted the text that links appropriate development density levels at Metro stations to capacity of the trains, traffic levels, and the density of the surrounding area **(306.9)**. OP replaces this contextual statement with a policy that promotes a one-size-fits-all standard that brands Metrorail stations as sites for significant housing and job creation, which was not the intention when the station sites were chosen. The new language conflicts with existing policy that planning and development decisions must recognize that each station is unique and that the best opportunities for transit oriented development (TOD) are in areas with unmet usage capacity and large amounts of vacant or underutilized land near the station. Post-pandemic, it is imperative that the Comprehensive Plan guidance reflect potential Metrorail usage changes that are a response to misgivings about the safety of congregating in small unventilated spaces and that may not return or expand usage in response to density changes. *The benefit of development, especially affordable housing, near Metro rail stations is unquestioned, but the density level should be carefully considered since some stations are in large open areas while others have limited open or underutilized space.*

The text preceding the policies sets up the amendments to strike stepping down of densities between TOD areas and lower density areas, replacing that guidance with a vague suggestion that there should be appropriate transitions between adjacent height differences. This is further conditioned to suggest that TOD principles could be extended farther than the national ¼ to ½ miles from the station, which would allow OP to decide where to apply TOD and would leave neighborhoods with no certainty about future density. The text amendments also continue the amendment theme of decreasing the importance of neighborhood and the uniqueness of each station. An amendment **(306.5)** replaces “must” with the wishful “should” in stating how communities determine development policies.

This section of the Land Use Element includes mixed messages about housing. Most of the policies explicitly support market rate housing in TOD areas while suggesting the inclusion

of lower priced housing with weak language. This should change to *prioritize affordable housing in areas that provide multiple opportunities for lower income residents and families.*

The amendments repeatedly delete policies that promote contextual consideration of existing housing patterns in planning and development decisions along corridors, including priority transit and multimodal corridors. The amendments reflect an urgency for new housing and remove important neighborhood-sensitive guidance that might limit development in order to preserve what communities value. Similarly, the policy amendments related to parking facilities near Metrorail stations ignore neighborhood context, including that some stations serve primarily commuters and not local business traffic. The statements that no new residents in a TOD area will own a car and that Metro service is comprehensive are aspirational goals rather than fact, and the Land Use Element should balance the desire for less parking near Metro stations or along bus corridors with a realistic acknowledgment that there is a range of service, capacity, and land area at Metro stations and along corridors.

Recommendations

- **Delete and/or reframe the amendments that would remove limits on TOD development based on proximity to conservation areas (which are generally low and moderate density neighborhoods, and historic districts), lack of land area to provide accessory structures to serve multi-family developments and limited public transit reach or capacity.**
- **Focus new growth opportunities on addressing inequities in housing and economic development. As now written, the amendments can generally be described as *intentionally insensitive* to conservation area neighborhoods with limited capacity to grow.**
- **Adequately address the policies that allowed the District to gentrify and displace thousands of Black and low-income residents. These are *inflexible amendments* that presume that the needs of neighborhoods are the same in contrast to every prior Land Use Element; and that barriers to expensive development, including dissent, must be removed.**
- **Prioritize the needs of community-led development, and include a greater share of lower income residents in the benefits of TOD throughout the District.**

Suggested Language Changes/Additions

- **LU-1.4.1: Station Areas as Neighborhood Centers.** Restore existing language and insert affordable housing as a goal of TOD in the second sentence.
- **LU-1.4.2: Development Around Metrorail Stations.** Restore the existing language.
- **LU-1.4.7: TOC Boundaries.** Restore existing language so that historic districts and conservation areas are not downgraded as significant considerations in developing TOD zoning regulations and making regulatory decisions about appropriate development in TOD areas.
- **306.9.** Restore the deleted paragraph as important guidance for the Zoning Commission in establishing TOD densities that consider each station's unique characteristics.

- **LU-1.4.1: Station Areas as Neighborhood Centers.** Redraft to deemphasize the erroneous assumption about population growth and substitute the opportunity for appropriate levels of affordable housing and revitalization of shopping and employment opportunities.
- **Delete the cookie-cutter amendments that would replace planning with uniform density goals** and reestablish that other land use policies should affect planning and development at these sites.
- **LU-1.4.3: Housing Around Metrorail Stations.** Delete the amendments and redraft existing language to specify that affordable housing, including subsidized rental housing and for sale family-sized units are the priority housing type in TOD areas.
- **LU-1.4.3: Affordable Rental and For-Sale Multifamily Housing Near Metrorail Stations.** Delete because it is vague and clearly not a priority as drafted.
- **Action LU-1.4.A: Station Area and Corridor Planning.** Reframe to target underserved areas with unmet transit capacity and vacant and underutilized land near Metro stations. In addition, the length of a corridor that benefits from proximity to a Metro station should be defined so there is predictability in TOD planning.
- **Action LU-1.4.C: Metro Station and Inclusionary Zoning.** Redraft to delete the weak language and replace with “Amend the Inclusionary Zoning program to maximize affordable housing around Metro stations while respecting the appropriate density and height limits for the area.”
- **LU-1.4.5: Edge Conditions Around Transit Stations.** Restore and add a policy for **Development Along Corridors** which states that priority transit and multimodal corridors may provide development opportunities, but that the General Policy Map and Future Land Use Map must guide appropriate levels of development and uses rather than the existence of bus routes. These routes respond to residents’ public transit needs to get to jobs, education, retail, and other essential services and do not necessarily equate with unmet development opportunities.
- **Action LU-1.4.B: Zoning Around Transit.** Redraft the amendments to delete consideration of shared parking and loading to be replaced with “should provide” adequate parking and loading facilities, taking into consideration that many neighborhood stations do not have the land capacity to absorb large developments that create the need for essential accessory structures for such uses as loading and parking. *Development must be right sized to absorb the impacts they create.*
- **LU-1.4.6: Parking Near Metro Stations.** The amendment should be partially deleted to remove the last sentence and replace it with “if existing parking assets are redeveloped or if there is new development with parking requirements, the supply and demand for parking in the area, including the parking needs of new residents, surrounding residents, and businesses must be considered before reducing or waiving parking requirements.”

Land Infill Development and Creating and Maintaining Successful Neighborhoods

Vacant properties – whether improved or not – offer significant opportunities to address equity. The amendments should update the data from 2003 and 2005 on the amount, location, parcel size and zoning of vacant properties. The amendments should provide a blueprint of appropriate options for these parcels and include policies directing how District

programs, such as DOPA and PADD, can convert these properties into positive uses, including parks, affordable rental and for sale housing, local businesses, or public facilities.

Vacant and blighted properties are often scars on underserved communities because land owners are waiting for land to become more profitable. This should not be allowed and the District should exercise ways to make these properties productive now. The amendments delete the policy that directs the zoning bodies to ensure that infill development on these vacant properties is compatible with the character of the neighborhood, which is more evidence that the *Office of Planning is less interested in enhancing and stabilizing neighborhoods than in maximizing development and facilitating market rate housing.*

The amendments replace the goal of creating successful neighborhoods with creating inclusive neighborhoods. In fact, *it should be both*. The limiting aspect of the title recommended in the amendments is carried forward in the text. The text describing strong neighborhoods does not mention providing a safe and healthy environment or protecting its historic assets and resources. There is a nod to the insightful 2001 OP study that evaluated specific strengths and weaknesses of every DC neighborhood, but the **Action (LU-2.1.E)** lacks urgency and relevance in informing where new equity based policies and funding priorities should be directed.

The amendments delete the text that prioritized assisting underserved neighborhoods and replaces it with a call for greater equity everywhere, which ignores reality that inequities are not universal. There is example after example of the amendments confusing or downgrading existing policies on neighborhoods in order to advance housing development often in conflict with current housing patterns. This is a startling change in policy from previous Comprehensive Plans.

Rather than alter every policy on neighborhoods, it would be more reasonable and better policy to have one policy statement at the beginning of the Land Use Element that clearly states where market rate housing is encouraged and where affordable housing is encouraged, and the extent to which the Council believes the route to affordable housing production is through private development.

Where OP is going with all the amendments to this section is clear when you read the zoning policy for low and moderate density neighborhoods. *OP intends to facilitate up-zoning of stable, low density neighborhoods by overruling the guidance of the Comprehensive Plan and its maps with its own directives to up-zone and permit the demolition of good housing to be replaced with more intense development currently determined to be incompatible with the building pattern in these neighborhoods.* This would be a power shift from the Council to the Executive and would greatly expand profitable opportunities for developers at the expense of stable, family neighborhoods.

This is not a fanciful conclusion since **Section 227.2** of the Framework Element enacted earlier this year, gives the Zoning Commission discretion to place zones in higher density land use categories when proposed by map amendments. The only check on the Zoning Commission exercising this new authority is that its decision “not be inconsistent with the Comprehensive Plan.” *The weaker the Comprehensive Plan polices are on neighborhood protections, the greater the power of the Zoning Commission to decide that a zone currently listed, for example,*

as medium density is, in fact, compatible with moderate density and is not in conflict with water-downed policies.

The assault on single-family zones will operate as an assault on Black family homeownership and the capacity for generational wealth-building. The very large lots in R-1-A neighborhoods, mapped exclusively in Ward 3 or Rock Creek West, will remain untouched. The small residential developer will focus attention on the R-1-B neighborhoods throughout the city, particularly those in Wards 7 and 8 where land is less expensive. Such neighborhoods face the prospect of small apartment buildings sandwiched between single-family houses as infill developments on vacant lots or through teardowns of existing buildings. The predictable outcome will be rising tax bills for existing households and the inability of new families to buy houses when they come on the market, because they will be outbid by developers. The last “affordable” neighborhoods for families, especially middle and lower income families, will be priced beyond their reach. And yes, the character of these neighborhoods will change. *The real “missing middle” are households that without being highly affluent, are self-sustaining and seeking to build a traditional family life in a single-family house in the District.*

The amendments target aspects of life in neighborhoods that are important and often trigger intense debates over development. In every case, language that acknowledged neighborhood interests has been deleted. Policies that provide some restraint on increasing density in residential neighborhoods are, per the amendments, optional rather than imperatives. “Shall” becomes “should;” “ensure” becomes “promote;” “protect” becomes “respect” or “enhance”; “pursue” becomes “consider.” *From parking to reuse of public buildings to benefit a neighborhood, policies are being amended to reduce neighborhood influence on development processes.* The amendments would introduce new pressures on neighborhoods striving to maintain neighborhood character and livability by authorizing Planned Unit Developments with density bonuses and waivers from zoning requirements in neighborhood commercial centers. The theme of the amendments is to expand higher density development throughout the District. *The beneficiaries of the amendments are developers and the victims are neighborhood residents who would have predictability and influence greatly diminished.*

Recommendations

- **Rewrite these amendments to restore residents’ ability to challenge development that they deem inappropriate. The amendments in this section aim to reduce residents’ ability to challenge development that they deem inappropriate and to enlarge the reach of development into areas where it was previously limited. There are a few references to population growth and affordable housing, but *the main rationale seems to be opening new avenues of development where it has been limited and deemed inappropriate.***
- **In almost every case, the existing Land Use Element language is reasonable and preserves the District’s diverse neighborhoods while targeting investment to underserved areas in a way that fulfills the desires of the community. The amendments as a group represent an attack on neighborhoods, an intention to elevate the Office of Planning in determining land use decisions, and an invitation**

to developers to pursue whatever level of development they desire throughout the District's neighborhoods.

- Because the dismantling of policies affecting neighborhoods is so thorough in these amendments, we offer extensive specific language changes and additions below.

Suggested Language Changes/Additions

- **Add a new policy:** "Employ public programs such as DOPA and PADD to encourage appropriate development of vacant properties including parks, affordable housing and local businesses, and utilize code enforcement if properties remain vacant. Ensure that authorized zoning uses follow the Generalized Policy Map and provide flexible alternatives to use vacant property for the benefit of the surrounding community."
- **Delete the new amendment on ADUs (308.5) providing affordable housing opportunities.** There is no evidence that ADUs are more affordable than other housing options. *Without additional policy guidance that requires these units to be affordable, they will continue to respond to market rents.*
- **LU-1.5.3: Zoning of Infill Sites.** Restore as this is important guidance for zoning bodies to ensure that new development is compatible with existing development and that existing patterns are not ignored.
- **Retitle LU-2: Creating and Maintaining Successful and Inclusive Neighborhoods.** The amendments replace the goal of creating successful neighborhoods with creating inclusive neighborhoods. In fact, *it should be both.*
- **310.1** Add "safe and healthy environment" to the list of attributes of a strong neighborhood and replace "accessible housing" with "affordable and accessible housing." Restore "protecting" neighborhood historic and cultural legacies and add "...that add richness to the story of DC or the nation and that do not harm or marginalize any segment of the population."
- **(310.1 and 310.2).** "Protecting" rather than "respecting" these attributes should be restored. The amendments preserve text acknowledging that successful neighborhoods have certain assets and amenities but then *downgrade the guidance that these attributes must be protected and created where they do not exist.*
- **Action LU-2.1.B: Study of Neighborhood Indicators.** Rewrite to "update social and economic neighborhood indicators for the purpose of targeting investment to neighborhoods with the greatest needs as demonstrated by the indicators."
- **LU-2.1.1: Variety of Neighborhoods.** The amendments strike the type of housing that characterizes low-density and high-density residential neighborhoods. This is an *intentional deletion of single-family homes as typical in low-density areas and signals amendments to come that seek to end single-family zones.*
 - A further amendment encourages infill and adaptive reuse with no requirement for compatibility with existing housing patterns. This amendment would permit any type of development in a neighborhood if it can be linked to population growth and affordability, even though a project might not be compatible with the neighborhood.
 - There is no evidence of a need for market rate housing to accommodate the low levels of population growth in the District. Addressing the affordability crisis afflicting many low-income residents should lead to affordable units of housing

types compatible with neighborhood housing patterns. Delete the amendment and add to original language: “Promote the design and maintenance of new development in a manner that protects the District’s open space and historic resources, mitigates impacts on nearby properties, is compatible with the scale and character of its surroundings, and enhances Washington, DC’s international image as a city of great architecture and urban design.”

- **LU-2.1.2: Neighborhood Revitalization.** Delete the amendment or redraft for more clarity. This includes language that would redirect public funds from areas most in need to “projects that advance equity and opportunity for disadvantaged persons.” The language is vague and seems to provide a rationale for not focusing public resources in areas of greatest need where many disadvantaged people live. This seems to be the opposite of equity, especially if its intent is to use public resources for market rate projects that might include a minimal amount of affordable housing through Inclusionary Zoning (IZ) in areas where they already exist rather than adding market rate housing where it does not exist and where the inclusion of new housing could help to revitalize a neighborhood, as long as displacement is prevented.
- **LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods.** This amendment should be premised on balancing goals to increase the supply of affordable housing, not the housing supply in general. *The production of affordable housing should be the expressed housing priority throughout these amendments.*
 - The goal to protect neighborhood character should not conflict with providing affordable housing so the replacement of “protect” with “respect,” which is a meaningless concept, should be deleted.
 - The original language using the General Policy Map designation of conservation to distinguish neighborhoods that don’t need revitalization should be restored. Conservation has a larger meaning and distinguishes neighborhoods that don’t need the level of government resources that neighborhoods identified for revitalization need.
 - The amendments make a clear statement at the beginning of the Land Use Element that a major goal is the creation and preservation of affordable housing. *It should not be necessary to interject phrases to reiterate the overarching goal, and its inclusion in some policies and absence in others is confusing.* A single strong and encompassing policy statement would be preferable.
- **LU-2.1.5 Neighborhood Support.** This title is confusing. The existing title is **Conservation of Single-Family Neighborhoods.** The amendments should be deleted and the Council should make it clear that single-family zones provide a type of housing that meets the needs of many District residents. *The existing language should be restored.* The amendments strike all language related to preserving single-family neighborhoods and managing development of vacant land with new language that reframes the policy as a general statement about using vacant land for housing. This is another amendment that aims to eliminate any policy recognition of the value of single-family zones and that these low density neighborhoods should be preserved. The obvious intent is to silence residents who might object to a denser scale of development that current and previous land use policies found incompatible.
- **LU-2.1.10: Multi-Family Neighborhoods.** This amendment should be deleted. It would allow large scale incompatible commercial uses in medium- to high-density residential neighborhoods, like Dupont Circle, if it’s likely these uses could provide jobs for nearby residents. This change would lead to zone designation changes to permit unspecified

incompatible commercial uses in place of housing. There is no language specifying how many jobs or what quality of jobs would trigger this change, which seems intended to allow commercial zones to encroach on residential zones and permit the loss of family-sized housing as has happened on Capitol Hill.

- **LU-2.1.8: Zoning for Low and Moderate Density Neighborhoods.** The existing language should be restored. *The amendment gives OP unprecedented authority to overrule the Comprehensive Plan and its maps in requesting up-zoning of these neighborhoods, which could result in demolition of good housing and incompatible development.* The original amendment proposed rezoning single-family areas for multi-family apartments, but the more recent amendments propose rezoning for the “missing middle” housing, which appears to be housing with 3 to 19 units. This change is likely intended to target Ward 3 which has significant amounts of single-family and large multi-family, but many fewer 3-19 unit buildings. This policy change is inconsistent with the planned development of the District which includes an intentional variety of housing and one or two predominant housing options in each ward. Only Wards 7 and 8 have larger proportions of “missing middle” housing and those wards consequently don’t have the high number of large apartment building units seen in some other wards like Ward 3.
- **LU-2.1.11: Residential Parking Requirement.** Existing language should be restored. These amendments would downgrade consideration of neighborhood attributes in determining appropriate parking requirements.
- **LU-2.1.14: Planned Unit Developments in Neighborhood Commercial Corridors.** This policy is deleted entirely and replaced with language authorizing PUDs in the District’s lowest density commercial areas. This would permit redevelopment of what, in many cases, are affordable storefronts with neighborhood-serving uses, often owned by local residents. *Redevelopment at the scale envisioned by PUDs would result in increased property taxes for all area businesses, more expensive leases, and almost surely the replacement of small, local businesses with national retailers.* The Council should consider the effect of this amendment very carefully. The amendment should be deleted and the existing policy retained.

Maintaining Community Standards

Many of the policies in this section address vacant properties and buildings. The policies in this section should link vacant properties to the incidence of unsafe and distressed areas and underperforming commercial areas. There must be an *urgency in the policies to revitalize vacant structures* and put vacant sites into productive uses, not only when affordable housing is a prospect. The District must utilize programs like PADD to rid the city of vacant properties.

Suggested Language Changes/Additions

- **LU-2.2.1: Code Enforcement as a Tool for Neighborhood Stabilization.** This includes amendments stating that code enforcement “enhances” neighborhoods rather than “protects” them. The stronger statement that links enforcement to protecting neighborhoods should be restored. Similarly, “ensuring” that health and safety hazards are promptly corrected is a stronger statement than the amendment language, and it should be restored.
- **LU-2.2.3: Restoration or Removal of Vacant and Abandoned Buildings.** Add language authorizing enforcement tools when owners refuse to comply with vacant property laws.

- **Action LU-2.2.A: Vacant Building Inventories.** Include public purchase of these properties not only for affordable housing but for many other appropriate uses.

Residential Land Use Compatibility

The policies in this section are critical to establishing the appropriate scale for mixed-use zones with commercial and residential uses that abut lower density residential zones. The existing Land Use Element balances the needs of each zone without tipping the scales for any one. *The amendments reverse that history by tipping the scale in favor of mixed-use development and limiting the ability of residents to represent their interests when mixed use development seems inappropriate.* The C100 believes the scale should be balanced so that a cookie-cutter pattern does not alter neighborhoods where something unique would be better for that area and the city as a whole.

Many neighborhoods seek Small Area Plans (SAP) to ensure community-led future development, and support for this type of planning should be in the Land Use Element. *But it is critical that the Comprehensive Plan state that the SAP process ensure broad neighborhood engagement, full disclosure of the likely results of planning and development options, the best planning tools and practices including visual simulations of alternatives, and a transparent public process.*

Recommendations

Restore existing language in the policies below in order to maintain the ability of neighborhood residents to participate in land use decisions that will or could affect livability and safety. In nearly every policy that is mentioned, the amendments weaken the ability of a neighborhood to object by removing policy guidance that protects neighborhoods from inappropriate development and uses. *This is part of a theme to force residents to accept all kinds of development and to assure developers that residents will have fewer tools to represent their interests.*

Suggested Language Changes/Additions

- **LU-2.3.2: Mitigation of Commercial Development Impacts.** This is critical in guiding how neighborhood impacts from development are handled. The amendments substitute transportation management plans (TMP) for traffic in the list of recurring issues that should be addressed with requirements when planning any development, which means that *there is an assumption that all traffic conditions can be solved with a TMP.* TMPs are generally lists of actions, like publishing bus schedules, that may have a positive effect on traffic and parking, but that don't directly deal with those issues. Thus, in order to protect a community from traffic and parking impacts, *traffic should be specifically mentioned.*
 - The added sentence at the end of this policy that extols the benefits of commercial development should be deleted as it has nothing to do with mitigation and seems intended to downgrade the concerns that this policy aims to address.
- **LU-2.3.3: Buffering Requirements.** Restore the existing language. This is another example of amendments striking stronger language that protects neighborhoods and replacing it with weaker language. Physical buffers should be ensured.

- **LU-2.3.4: Transitional and Buffer Zone Districts.** Restore the existing language. This is yet another example of amendments being used to weaken neighborhood protections from inappropriate development.
- **LU-2.3.5: Institutional Uses.** Restore the existing language. This policy guides how institutional uses should be integrated into residential neighborhoods when they are not a matter of right. *The policy language ensuring that these uses must be compatible has been replaced with weaker language that assumes these uses are always appropriate and that neighborhood concerns are something the institution can ignore.*
- **LU-2.3.7: Non-Conforming Institutional Uses.** Restore the existing language. This policy is amended to downgrade the importance of “ensuring” these uses are compatible in a neighborhood and replaced with “promoting” compatibility, which carries no accountability or reliable outcome.
- **LU-2.3.8: Non-Conforming Commercial and Industrial Uses.** Restore the existing language in order to rid neighborhoods of these unwanted uses. These amendments would prevent residents from objecting to these uses. They call for “limiting” these uses whereas existing language calls for “reducing” them. One permits more and one sets a cap with no additional non-conforming uses anticipated. The amendments also define the targeted uses by the impacts they create whereas the existing language simply says “reduce” these non-conforming uses...period.
- **LU-2.3.11: Home Occupations.** Restore the term “negatively impact” because the replacement term “respect” has no meaning in zoning or regulatory law.

Neighborhood Commercial Districts and Centers

Like many other parts of the Land Use Element, this section’s amendments reduce neighborhood protections from inappropriate development and enlarge opportunities for commercial development. More than in other parts of the Land Use Element, this section frames many of the amendments as responses to population growth and the need to densify the city. Regional centers are described as suited to accommodate population growth, including along the adjacent corridors; and, not surprisingly, the amendments call for increased heights and densities rather than maintaining the current levels and vague transitions rather than stepping down to abutting neighborhoods.

Throughout this section the amendments prioritize tall, dense development in reaction to OP’s growth forecasts and push aside existing policies seeking to balance the impacts from commercial uses with protections for the existing residential neighborhood. This pattern of disregard for neighborhood livability extends to the policies on night clubs and bars. *The language discouraging concentrations of bars in neighborhood commercial districts is removed and replaced with encouragement for a mix of uses, which would not prohibit the proliferation of bars in neighborhood commercial areas.* To make clear the intent, there are further amendments that delete the strong policy that late night and large crowd uses should not be located in low and moderate density residential areas. The replacement is a weaker and more optional provision saying that it’s a “priority” to locate these uses downtown. Similarly, uses that the existing Land Use Element describe as inappropriate for any District commercial center, could, per the amendments, be located near parking and major roads including arterial roadways that travel through neighborhoods.

Recommendations

- **Maintain the hierarchy of commercial centers and distinguish them from downtown uses and densities.**
- **Reaffirm the need to consider how higher density development adjacent to lower density neighborhoods could adversely affect residential areas.**
- **Continue to ensure that neighborhood concerns about buffers, step downs and setbacks are emphasized in Land Use Element policies.**
- **Ensure that inappropriate uses do not creep into neighborhood commercial districts and centers, which are not entertainment centers and are predominately alternatives to the intensity of uses and scale found downtown.**

Suggested Language Changes/Additions

- **312.2.** The deleted paragraph should be restored since equity is an important theme of this amendment process. The removed paragraph describes the inequity in the quality and quantity of retail and services in some District neighborhoods. The new paragraphs describing the attributes of successful commercial districts and retail spaces should be redrafted to offer more flexible encouragement for areas that do not want a Main Street or a merchants' organization, and where 12 foot ceilings and 8 foot sidewalks are not appropriate or likely.
- **312.3.** This paragraph should be restored to its existing language. The amendments condition zoning and buffering requirements on accommodating growth and "respecting," rather than "protecting," neighborhood character.
- **312.4.** As noted at the beginning of this document, growth projections are overly optimistic and are driving amendments to remove neighborhood protections and reasonable zoning limits and requirements. Language calling for zoning to determine where auto dealerships and motels are appropriate is removed leaving a statement that offers screening requirements as the way to make these uses compatible with residential uses. Remove this language.
- **LU-2.4.4: Heights and Densities in Regional Centers.** Restore "step down" and delete "transition."
- **LU-2.4.6: Scale and Design of New Commercial Uses.** This includes amendments that reframe the intent of the policy from ensuring compatible height, mass, scale, and design to developing at a height, mass, scale and design that reflects a growing, densifying city...and secondarily is compatible with the adjacent neighborhood. *The amendment curbs dissent when a neighborhood finds that a development proposal overwhelms the development pattern in a neighborhood.* The amendment says clearly that *any intensity of development will be acceptable if growth is invoked. This is contrary to decades of Land Use Element policies that promote neighborhood engagement and the goal of compatible development.*
- **LU-2.4.7: Location of Night Clubs and Bars.** Restore the existing language.
- **LU-2.4.8: Addressing Commercial Parking Impacts.** Restore existing language. Residents rely on zoning requirements regarding traffic and parking as controls on development and uses overwhelming a neighborhood.

Balancing Competing Demands for Land

This section of the Land Use Element presents the positive and negative effects created by uses that cover large land areas.

Approximately 333 acres (down from 2,000 acres reported in the 2006 Comprehensive Plan) of land is zoned for industrial or Production Distribution and Repair (PDR) use. Approximately 9% of jobs are in PDR industries. These jobs are often accessible to lower skilled residents and returning citizens, and they offer higher wages than retail and more advancement opportunities.

Setting aside land, 50% of which is in Ward 5, is critical to accommodate municipal services, but flexible zoning regulations and the pressure to use land for housing has resulted in increasing land prices and pressure to use this land for other uses.

This section of the Land Use Element exposes conflicting policies within the Comprehensive Plan about the appropriate guidance for industrial land. In 2005, a District-commissioned study of industrial land concluded that 70 additional acres of industrial-zoned land was needed for municipal services. The amendments do not update that conclusion even though the data states that the inventory is decreasing. *Despite the essential nature of industrial land, the amendments reduce protections and expose the land to more competing uses.*

Institutional uses occupy almost 2,300 acres of land, which is more land than retail, office and hotel uses combined, and these uses employ more than 29,000 people. Land Use Element policies affecting institutions include a policy on corporate citizenship, but that policy does not mention their exemption from property taxes or suggest a commitment to hire DC residents, especially lower income residents or returning residents.

The expansion of institutional uses, which can be very controversial in residential neighborhoods, has historically been checked to avoid unreasonable and predictable impacts on a neighborhood. *The amendments would weaken the protections neighborhoods rely on as long as the institution offers some benefit.* In many cases, a neighborhood does not want the impacts that reduce livability and no amount of perceived benefit would be adequate compensation.

The Comprehensive Plan's emphasis on inclusion and equity must include policies aimed directly at residents facing severe challenges, such as the chronically homeless and addicted and, especially, returning citizens. It is important that each ward and planning area provide space and community for these individuals.

Recommendations

- **In both industrial and institutional uses it is important to have clear and strong policy guidance that protects neighborhoods from any unwanted effects from these important uses and that encourages residents to represent their interests.**

- **Maintaining industrial areas is essential, as is limiting competing uses for this land even though it is undetermined from the amendments whether more land is needed for this purpose.**
- **It is critical that every effort is made to make industrial uses safe, clean, and more compatible with adjacent uses.**
- **In the case of institutional uses, the challenge is to control the impacts they create.**

Suggested Language Changes/Additions

- **LU-3.2.1: Conservation of Industrial Land.** Restore the existing language. Amendments would weaken current policies by deleting assurances that zoning protect active PDR uses and replace the language with “should continue to preserve.” “Should” means that some action is preferable but not required.
- **LU-3.2.2: Redevelopment of Obsolete Industrial Uses.** This policy does not state whether these sites should continue to fulfill the city’s or private PDR needs, or whether they should be reused for another purpose. *The Council should provide guidance and not delegate how these properties are redeveloped to the Office of Planning or the Zoning Commission.*
- **LU-3.2.3: Location of PDR Areas.** This policy has not been amended, but language should be added to ensure that:
 - The industrial uses near neighborhoods have extensive buffers.
 - The sites are clean with no environmental impacts that could harm a community.
 - Sites are designed to provide aesthetic, well maintained structures and land area.
 - A clear decision is made if these facilities should be concentrated and, if so, how far should they be from residential neighborhoods.
- **LU-3.2.2: Corporate Citizenship.** Language in this policy should link expansion of any institutional use to a commitment to hire DC residents. As significant employers, it is critical that institutions expand the tax base by employing DC residents.
- **LU-3.2.3: Non-Profits, Private Schools, and Service Organizations.** Restore the deleted language. This amended policy would change from the existing language ensuring that expansion of these uses is not permitted if it would cause serious adverse effects on the neighborhood, to permitting them if there were commensurate benefits. This amendment assumes any neighborhood objections can be overruled with a proffer from the institution. *The amendment further states that neighborhoods must accept more intense or increased use and that they will have no policy to refer to in objecting.*

The Maps

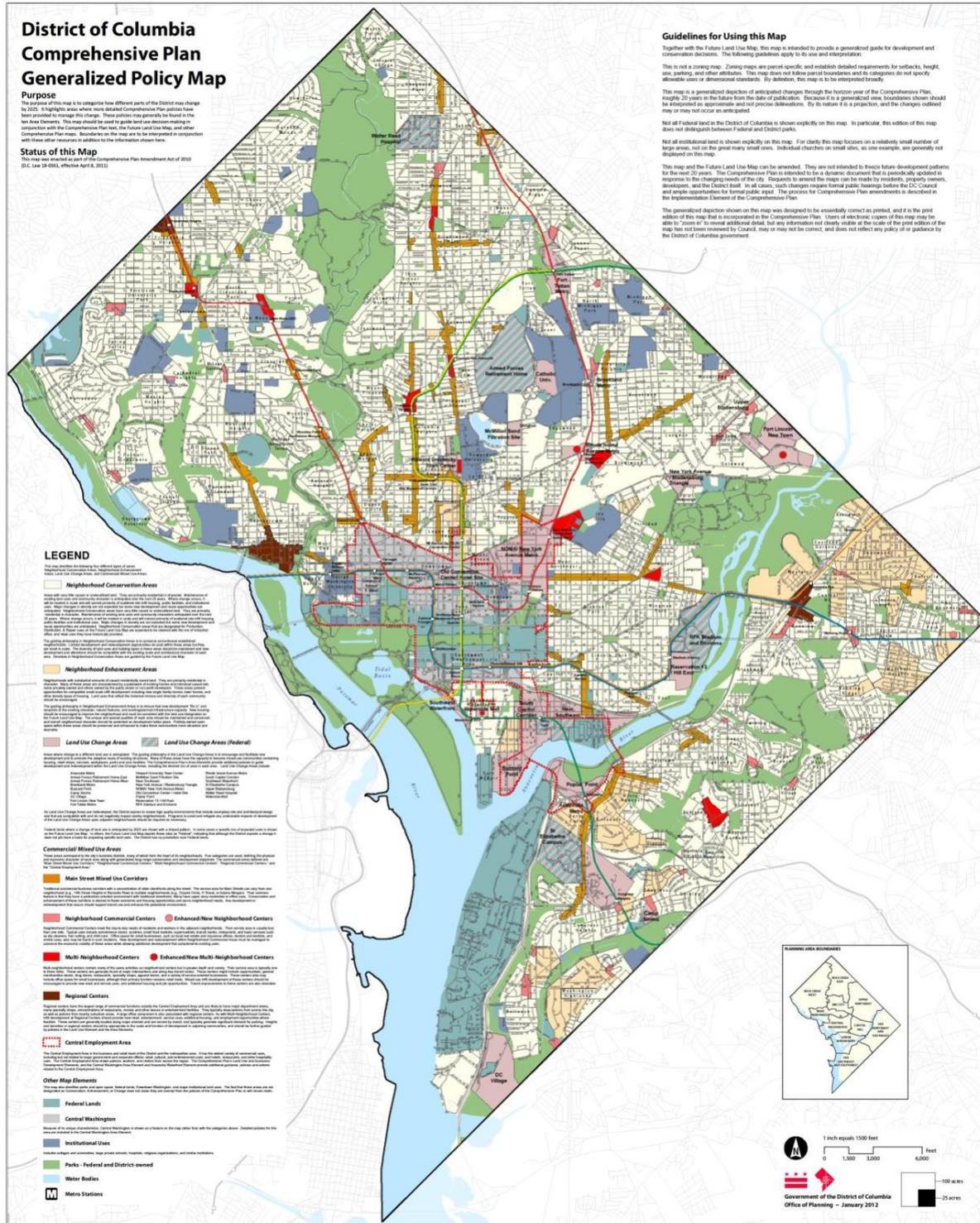
Generalized Policy Map

Future Land Use Map

The Generalized Policy Map and the Future Land Use Map are “where the rubber hits the road.”² They play the leading role in determining future land-use, growth and development in our city.

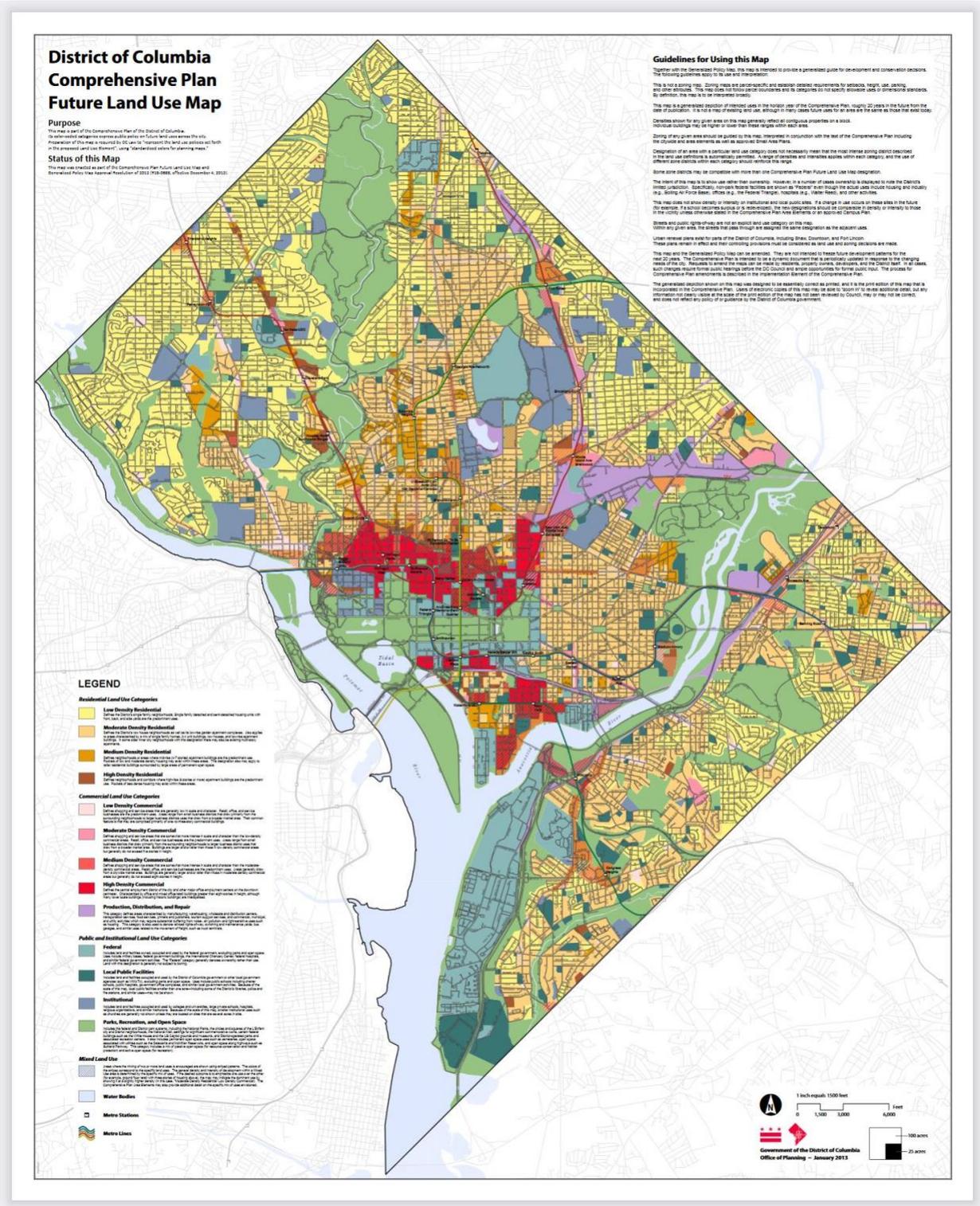
² Petti, Caroline. *DC’s Comprehensive Plan, Generalized Policy Map and Future Land Use Map: “Where the rubber Hits the Road.”* Presentation to the Grassroots Planning Coalition, September 19, 2020.

The Generalized Policy Map depicts intended land-use consistent with categories like “neighborhood conservation area”, “land use change area” and “commercial mixed use area”.



For an easier-to-read version of the GPM:
<https://planning.dc.gov/sites/default/files/dc/sites/op/publication/attachments/2011CompPlanPolicy.pdf>

The Future Land Use Map - or "FLUM" - depicts the intended density of locations across the city using categories like low, moderate, medium and high residential and commercial. The FLUM also identifies typical density and character of buildings associated with each category as well as representative zoning districts.



For an easier-to-read version of the FLUM:

https://planning.dc.gov/sites/default/files/dc/sites/op/publication/attachments/Com_pPlanLandUseMap.pdf

Implications of Proposed Map Changes

The Framework Element describes the four development scenarios of the Generalized Policy Map (GPM) that are applied to every parcel not designated federal, institutional, or parks and public open spaces. Each scenario forecasts the level of development that property owners and residents can expect. The amendments to the map cover a period from 2020 - 2025. The Office of Planning (OP) has not included very many amendments to this map, but it has introduced a new sweeping category: *Future Planning Analysis Areas*. This category is not mentioned in the Framework Element.

The Council should carefully evaluate this new category because OP's intent is to change the density and the intensity of use or to introduce a significant new use not previously allowed in an area. (This intent to forecast major changes has previously only been denoted by the Land Use Change Areas category that includes predominately former federal lands.) In the new category, OP has included corridors and large tracts of Neighborhood Conservation Areas where major changes in density and use are not expected and infill projects are modest in scale and support conservation of neighborhood character.

There is a conflict between the levels of change outlined in the Framework Element and depicted on the Generalized Policy Map and the intention of this new category to seemingly ignore the hierarchy of development scenarios and authorize unpredictable changes, including zoning changes. Six of the designated areas – Wisconsin Avenue, Connecticut Avenue, Benning Road, Congress Heights, and Rhode Island Avenue – include large Neighborhood Conservation Area areas where there are established neighborhoods. This fundamental change is inadequately discussed in the area elements or anywhere in the Comprehensive Plan text, and only a very careful review of the proposed map reveals the extent of the amendment.

The Future Land Use Map (FLUM) shows the nature of future land uses and the density appropriate for those uses in every part of the city. The categories – low, moderate, medium and high – correspond to a range of zone districts from which the Zoning Commission chooses a specific zone for a specific land parcel. It is critical that the Council evaluate the amendments to the FLUM from several different perspectives:

- How will clustering of amendments in an area change that area?
- Is an area designated by the Generalized Policy Map for change?
- Is it supportable to change an area more than one density level?
- Is medium density the preferred level since it seems the Office of Planning is encouraging that level and higher through this amendment process? I
- Is it possible for the Council to surmise what any of the density levels will actually mean after the Zoning Commission acts on the new Comprehensive Plan and projects begin to be built?

There are many amendments to the FLUM and this is significant because the Zoning Commission cannot approve zoning changes to permit more intense development projects if the FLUM does not authorize the corresponding category of density. *Most of the map amendments seek an increase in density to the medium category, and often this is for residential development or a combination of residential and commercial.* Many of the

amendments are clustered in an area – Navy Yard, Friendship Heights, Georgia Avenue, Deanwood - which means that, if approved, the density for an area could change with nothing more than a request to the Zoning Commission to “upzone” parcels to correspond to the new FLUM designation. *Development projects could follow with no engagement with the community and minimal incentive for a developer to seek a Planned Unit Development that engages the public since the desired additional density was already awarded – first by the Council and finalized by the Zoning Commission.*

In assessing the FLUM amendments, it is relevant that the Council in the new Framework Element substituted floor area ratio (FAR) rather than height as the reference for each of the density categories. The FAR is a number that, when multiplied by the lot square footage, results in the total square footage allowed for that use, such as residential. FAR can usually be arranged in a variety of ways, and can result in construction on all of a lot and less height or construction on less of a lot and more height. In the past, additional dimensional requirements must be considered along with FAR. With this change, the Council uses only FAR as the reference point. It is uncertain how the FLUM category designations will be translated into zones by the Zoning Commission.

So, for example, instead of 60 feet being a height maximum that the allowable FAR is limited by, now the FAR is the standard and it is unknown whether the Zoning Commission will eliminate height maximums, raise them or make some adjustment to facilitate the full use of FAR. The Framework Element describes medium density as permitting floor area ratios between 1.8 and 4 for residential and 4 to 6 for commercial. Since most people visualize development in terms of height, it is important to look at current zones listed as medium density with the range of FARs described and consider what the current height maximums allow. The maximum heights for medium residential density can be as low as 40 feet and as high as 90 feet. The allowable FARs for medium density are not limited to a maximum of 4.0 as the Framework Element suggests, so again it is uncertain how the Zoning Commission will react. Will it lower FARs or not? Will it eliminate height maximums or change them? The Framework Element urges the Zoning Commission to continue to use dimensional limits on development, but the Council did not require it. *What seems to be predictable is that without further guidance to the Zoning Commission, the Council will have no assurance what the FLUM amendments represent and neither will the public.*

We urge the Council to provide more guidance to the Zoning Commission in the Comprehensive Plan to enhance development predictability and better ensure adherence to the District’s planning legacy. Further, we recommend that the Council:

- Scrutinize the map amendments for how each could change the density in an area.
- Carefully review the cumulative effect of proposed map amendments on an area.
- Consider the compatibility of what is proposed with the character of the area.

The goal of providing more affordable housing should not obviate the expectation that the Council will act deliberately on each amendment. *In fact, the likely outcome of more and more market rate housing facilitated by these map amendments argues for skepticism that amending the maps is the route to less displacement, more equitable development, and more affordable housing.*

III. Housing Element

The District's housing development policies have been nationally reported as allowing or encouraging the worst gentrification and displacement of Black people in the nation during what officials highlight as boom years for the city. The amendments to the Housing Element do not confront the reality of what has happened since 2006 to many District residents. Instead, the amendments applaud housing policies in an extraordinary 15-page recitation of accomplishments and rationales for the policy amendments to follow.

The District has encouraged building tens of thousands of units of expensive housing that accommodate one or two people. The housing has been located, and in some cases subsidized with taxpayer money, in areas where land prices are low and where many lower income Black families have lived and worked. In some areas, such as in Central Washington, affordable housing requirements have not applied.

The proposed policy amendments are drastic and build on the amendments in the Land Use Element that prioritize new developer-driven market rate housing over maintaining and revitalizing neighborhoods and effectively silence opposition to development projects and Zoning Commission decisions about land use. Amendments to stop displacement and to focus new development on building affordable and family-sized rental and for-sale housing are vague, weak, or not presented as priorities.

The text fails to mention that a reason for escalating prices of for sale housing is competition for the limited inventory of family sized housing: Only 37% of all housing is single-family units and only 13% is single-family detached housing, yet 75% of this housing provides family-sized units of three or more bedrooms.

There is no coherence to the overall family housing policies. *The amendments cite conversions of rowhouses as reducing family housing inventory and then endorse policies to continue this practice; the amendments describe the link between retaining families in DC and the need for more family housing, but then urge the end of single-family zoning to allow rental replacement units.*

There have been no incentives for developers to create more family housing. The affordability crisis has worsened as developers have purchased blocks of housing in soon-to-gentrify neighborhoods, renovated the units and put them back on the market at multiples of what they originally paid. The units reap windfalls of profit, but raise prices and reduce inventory for families. These practices have also resulted in displacement of families who can no longer afford to live in gentrifying neighborhoods.

While there has been significant sustained building of multi-family units, and development of this housing has been encouraged with financial and zoning incentives as well as public investment in infrastructure, most DC residents cannot afford to rent this Class A housing. Yet, the amendments conclude, without evidence, that the production of all this expensive housing has in fact "slowed the rising costs of renting." Several paragraphs later the text describes the quickly rising cost of rental housing and flattening incomes and purchasing power. The

Comprehensive Plan must use data and straightforward analysis to present the current state of housing, how we got here, and how we will use this amendment process to reset our housing priorities.

Recommendations

- **The lengthy introductory text does not move logically from paragraph to paragraph and some parts should be moved to the sections devoted to that topic.**
- **In general, the discussion of affordability and relative purchasing power is unfocused despite the critical nature of the topic.**
- **The 15-page introduction should be edited to a few key topics that provide essential information not covered in later sections of the element.**
- **The amendments stray from the subject of this section. Text and graphs must be added to explain how the District’s housing is not fulfilling the goal of an inclusive city, and what policies would help to achieve that goal.**
- **It is vitally important to honestly describe past policies and how they have influenced current housing policy challenges in a way that people can easily understand.**

Specific Language Changes

- **Bar graphs** should be added to illustrate the following and the information should not be consolidated:
 - The number of housing units built from 2000 to at least 2017 in each planning area, and by ward if that is how the data sources are organized.
 - The difference in the number of Black households and White households by ward and planning area from 2000 to 2017.
 - The number of new housing units for residents with incomes between 0 to 60% MFI built in each ward and planning area between 2000 and 2017 compared to the number of units built without income set asides.
 - The number of rental or ownership housing units preserved in each ward during that time period.
- **Amendments at 500.3 and 500.4.** The laudatory amendment should be removed. It lists “accomplishments” that are not accurate in all cases and that underpinned some terrible outcomes for residents in other cases. *The topic of housing should be approached from the perspective that the city has made mistakes with serious consequences. The focus should be on how wiser land use policy decisions grounded in equity and social justice can serve as the foundation for the Housing Element.*
- **Call Out or Text Box on Housing Affordability** should be removed and replaced with a policy that ensures *that no household defined as low income will pay more than 30% of income on housing.* Theorizing about supply and demand would require decades to effectively drive down prices to the level of income of the most housing burdened residents in the District. It should not be promoted in the Comprehensive Plan as a reasonable or responsible approach to addressing housing affordability and access issues now.
- **Create a Call Out Box on the Definition of Affordable Housing** that accurately and succinctly describes federal subsidies and local subsidies for housing and the additional local programs that effect private housing rents – *Rent Control and Inclusionary Zoning.* These

programs, created by legislation, contrast with market rate housing that sets rent at whatever level the market will bear. In this discussion, it should be clear that eligibility for all these programs, with the exception of Rent Control, is based on the HUD Median Family Income methodology, which groups DC with other more wealthy Virginia and Maryland districts and thus, skews upward the income level of households in each bracket. In fact, DC median incomes are lower than the regional median income for each bracket.

- **Create a bar graph** showing the numbers of DC residents at each bracket level using the DC median and the regional median, and median incomes by ward and planning area.
- **Remove the text from the Call Out Box: What is the Difference Between Housing Affordability and Affordable Housing.**
- **Retain Table 5.1 Sample of Housing Programs, 2017 Income Limits and Main Household Targets.**

Housing Goal and Homes for an Inclusive City

This section of the Housing Element establishes that the District intends to provide safe, decent and affordable housing for all current and future residents. The amendments set a goal to produce a minimum number of housing units with *no reference to the type of housing, the location, the size, or the desired distribution by income level*. This section, like the one before it, is almost all narrative. It fails to:

- Outline how the housing goals will be achieved with private- and public-funded housing
- Specify the types of housing the District needs
- Reference population growth forecasts, even though those assumptions underpin many of the amendments. When the assumptions are not supportable, as C100 argues in the assessment of the Land Use Element, all that follows is questionable.
- Include a bar graph that shows how many people in each income bracket level need housing and how many households in each bracket are housing burdened.

This information is critical because many credible data sources have long said that the District's housing shortage must be addressed by providing units for the extremely and very low income residents. According to the OCFO, there is an abundance of market rate units, more in the pipeline and with population growth stalled or declining, the C100 believes the focus should be on *creating affordable units for those most in need. The gaps in information presented about need, inventory, and displacement must be corrected*. This critical information should guide where resources are directed and how District land could be better utilized.

Instead, *the amendments are premised on revising policies to benefit and encourage market rate units that provide minimal numbers of affordable units*. The rationale for supporting this obviously questionable approach is that the private market will pay to build more expensive units than the city needs and at some point in the distant future, the rents for these units will fall to a level that housing burdened residents can afford. The C100 cannot support a scheme that delays providing safe and decent housing for all residents and that does not utilize public resources to build and preserve the amount of affordable housing that we know the private market will never produce.

In addition, *we do not endorse the revision of countless Comprehensive Plan policies in order to open neighborhoods to unchallenged development by limiting residents' ability to insist on compatible development and livable communities. The Council should debate policy improvements to facilitate inclusiveness and more affordable housing, but silencing dissent is not how to do it.*

Recommendations

- **The Council must determine a methodology for population forecasting that is consistent with both regional methodologies and national, professional forecasting and is independent from self-serving developer goals.**
- **The Council should largely reject these amendments as not in the interest of DC residents or the city as a whole and consider policies that offer solutions to problems and encouragement to engage on land use planning and decisions.**

Suggested Language Changes/Additions

- **Rewrite this section** to explain the goals for an Inclusive City:
 - Focus on the imbalance of affordable units to market rate units.
 - Right size the forecasted housing needs based on existing and planned inventory for market rate units and the number of affordable units lost, the number needed to satisfy waiting lists and public housing deficits, and the number projected to be needed between subsidized units and market rate units.
 - Recognize the critical value of rent control units and factor into the inventory mix the percentage of rent stabilized units at different rent levels.
 - Calculate the number of bedrooms needed to accommodate DC families.
- **Delete new section 502.6 offering reasons for vacant and underutilized properties.** This conflicts with Land Use Element policies that call for using government resources to encourage productive use of vacant land and properties. It is not good policy to present excuses for landowners to leave their property vacant or underutilized.
- **Revise Call Out Box updating the Comprehensive Housing Strategy, 502.6a-d** to include outcomes from the 2006 task force report in the **Homes for an Inclusive City section at 502.6b**. It is not enough to state the goals and then provide no information on whether the goals were met. Similarly, the *other reports mentioned must include data on the outcomes*. How can policies be updated based on no current assessment of whether the plans were implemented, how they were evaluated, what goals remain, what goals changed? With no data included to inform the amendments they cannot be evaluated.
- **Add policies that state that housing is a right**, and that one of the goals of the Housing Element is to preserve a certain number of housing units and produce a certain number of units affordable at income levels up to 60% MFI.
- **Include a policy to ensure the rent control program will be expanded** as an important resource to maintain affordable rents for people who are not eligible for subsidized rents and cannot or will not pay market rate rents.

Expanding Housing Supply

This section provides the blueprint for deploying amendments to change existing policies to promote higher density development that would produce primarily market rate housing. There is little or no mention of affordable housing and no references to addressing equity, which should be prominently mentioned in this section. The amendments build on assumptions about population growth, which C100 believes are wrong. *It appears that the Office of Planning intends to amend the Housing Element to facilitate even more market rate housing – an intention that can be rationalized only by omitting full information and simply declaring it so.*

Significantly, the first policies in the Housing Element begin on page 20 in this section. There is no other element that devotes so much space to narrative. *The purpose is to persuade the Council and future decision makers that there is only one way to address housing in the District and that is by relying on the private real estate industry, and that it is necessary to remove any perceived obstacles that frustrate development.* Where there are policy amendments, their objective is to disengage residents or strengthen private development goals.

The text amendments stress that the expansion of the housing supply should include both market rate and affordable housing, but the amendments that follow make it clear that the goal is to build lots of expensive housing as quickly as possible before the bubble, which really no longer exists, pops. In fact, it's stated that the goal is to produce enough market rate housing to slow the rising cost of rental and for sale housing.

The oft-repeated and discredited theory of supply regulating prices for the lowest income DC residents is extended to promise that this strategy will ensure that “naturally occurring” affordable housing will no longer disappear if wealthy residents have enough high priced housing. *This is an approach that should never be included in the Comprehensive Plan; it is an unproven long-term strategy that perpetuates the affordable housing crisis. It announces to the growing numbers of low income households that they will see many more cranes but not on affordable housing projects. For that they will have to wait decades until wealthier residents abandon their expensive housing and no one remains who is willing to pay premium prices. It also sends the message that the DC government is more interested in helping the private real estate industry to prosper than it is in ensuring that every resident has safe and decent housing in a livable community.* The wait lists for subsidized housing have been closed since 2013 when the lists were bulging and today the city is still not confronting this issue as an emergency. The situation worsened as lower priced housing has disappeared, new, expensive housing has mushroomed, and thousands of DC residents have been displaced. The amendments would multiple the same outcomes.

Recommendations

Almost every policy in this section has been amended. Massive amounts of new text are without factual support or limited to bolstering OP's theory that high-priced supply positively affects the housing affordability crisis. The Council should pay special attention to this section for its effect on inequities in housing. The amendments invite

high density, high cost development along the Anacostia River and in neighborhoods, and then *strip the policies that empower residents to challenge this development*. Denying residents what they view as rights so that developers will experience no dissent is not consistent with District values.

Suggested Language Changes/Additions

- **Move paragraph 500.7 to Expanding Housing Supply** section. This section should clarify that a seeming shift to multi-family units was created by developers who can maximize profit margin when they build multi-family market rate housing. It is more profitable to build individual apartments, especially ones with only one bedroom or no separate bedrooms than to build family-sized units. *OP endorsed and encouraged the focus on only multi-family housing with small units. It is disingenuous for OP to now express concern about the dearth of family-sized units and in the same breath attack single-family housing, which provides most of the District's family-sized housing.*
- **Move 500.10 to the Expanding Housing Supply** section and delete the last sentence which states that there is evidence that supply has slowed rising rents. There is no evidence that this has occurred for middle to lower rents, though it may have slowed the rate of increase of luxury rents. However, OP presents no evidence to substantiate this claim and it is presented here only to bolster a housing theory that would perpetuate building expensive housing, which has not improved affordability and in some cases has led to massive displacement. Restore the deleted existing language which adds important context.
- **Paragraph 500.20 should be in a Call Out Box** since it describes the long-standing gap between District housing production and regional housing production. The deleted language should be restored to make it clear that the concern about the regional disinterest in housing production dates at least to 2005.
- **The paragraph that follows 500.22 should be rewritten** as its information is out of date and moved to the **Expanding Housing Section**. Migration patterns have been changing and a bar graph that shows migration patterns at different income levels would be more instructive, but certainly accurate information should be in the Comprehensive Plan. **Paragraph 500.30** should also be moved to this section.
- **The new paragraph at 500.33 that follows Figure 5.5 should be rewritten**. It begins by stating that housing demand will remain strong, which is not supported by the OCFO population growth forecasting and the housing inventory projections. The demand is more nuanced than OP reports, and it is largely for a range of affordable housing and family-size housing. The migration patterns should be analyzed to determine if it is the young, single residents who flocked to DC during the recession and were the beneficiaries of most of the housing production who are the ones leaving the District for other cities. In addition, there *must be text that discusses the pandemic*. It will lead to bad housing policies if the Comprehensive Plan is silent on the most impactful long-term event to hit the District in 100 years.
- **The last sentence of paragraph 503.1 should be deleted**. It tells the regulatory bodies, like the Board of Zoning Adjustment (BZA) and Historic Preservation Review Board (HPRB), that their purpose should be to encourage new housing, but it misses the balancing of interests and the interpretation of regulations that is the role of these bodies. Regulatory bodies have diverse purposes that are implemented by appointees with professional expertise and personal qualities that ensure they will make independent and sound decisions based on

the law or regulations, and not on a decree that creation of new housing is the preeminent goal. This sentence be deleted.

- **Delete the new paragraph at 503.12.** The theory described here that the affordable housing crisis would be solved by building more expensive housing is modeled on the “trickle down” theory of the 1970’s. *The notion that making wealthy people wealthier would eventually trickle down some wealth to lower income people was insensitive and wrong then, and its reincarnation as housing policy is still wrong. This notion conflicts with principles of equity and social justice.*
- **H-1.1.1: Private Sector Support.** This includes an amendment to require developers to build market rate housing. This should be deleted as unnecessary because private development will continue without incentives or edicts, and it conflicts with the city’s need for affordable housing and not more expensive housing. This policy should state that the District wants to prioritize affordable housing.
- **H-1.1.2: Housing Incentives.** This amendment calling for relaxation of height and density limits near transit is misplaced in this policy and is overly broad and thus should be deleted. The housing production goals must be re-evaluated according to reasonable population growth forecasts, the existing and planned inventory of market rate and affordable housing and new goals assessed for what, if any, incentives are needed to accomplish the goals. Support for high density development along neighborhood corridors is an unexpected and striking change in density that, if approved, will result in many more units of expensive market rate housing when the need is for affordable housing. *The Council should write policy guidance to produce what the District needs and not what will primarily benefit land owners and builders.*
- **H-1.1.4: Mixed Use Development** This policy should be rewritten to promote mixed-use development, particularly in Central Washington, and to prioritize affordable housing. As written now, the amendments emphasize moderate to high density development in neighborhood commercial zones -- often among the lowest density mixed-use zones in the District since they abut low density neighborhoods; along Main Street corridors, which are often the same as neighborhood commercial zones; and on priority bus line corridors and near Metro stations.
 - There is no mention in this policy of focusing high density development to produce large numbers of affordable units downtown where high density development is preferred. This omission is because *downtown is inequitably almost entirely exempt from producing affordable housing. It is terrible policy to limit the rights of individuals to represent their interests while inappropriately large development is encouraged in lower density areas.*
 - There is no population growth urgency to make unprecedented changes in density and there are no policy amendments that suggest that doing so will meaningfully address the affordable housing crisis. *These changes are designed to expand the reach of development and continue the prosperity of the real estate industry.*
- **H-1.1.7: Housing in the Central City.** This includes areas along the Anacostia River. The understanding of how we must address equity issues should be demonstrated in this policy. Existing language should be replaced with policy guidance that mixed-use development along the river will be compatible with neighborhood concerns and interests, including environmental interests, and will not be approached as an extension of downtown. *The language implying that there are affordable housing requirements downtown when there*

are not, must be replaced with language that ensures and requires a mix of affordable housing and prevention of displacement.

- **H-1.1.7: Large Sites.** These amendments continue the theme of encouraging market rate housing when these policies should be emphasizing a mix of affordable housing. Restore the deleted requirement that large sites be planned and developed as complete communities with open space, public schools, and retail.

Ensuring Housing Affordability

This section is perhaps the most significant section in the Housing Element but unfortunately it is mostly narrative with few policies. Many paragraphs inserted or amended in the first 15 pages of the element should be moved to this section.

This section would also be more accessible and informative with the *addition of graphs*. The previously recommended bar graph showing the difference between the regional median income and the DC median income at different levels of income could move to this section. A discussion of the *flattening of wages should be included in this section* with a graph showing the disparity in wage increases among professions, including service workers. There is important information that is being deleted throughout this section that provides context over the past 20 years and shows how factors contributing to the District's affordability crisis have worsened or not improved. *The references that provide 20-year context must be restored.*

The amendments display a confounding passivity to the housing problems in the District. They frame the enormous escalation in home prices as originating with predatory lenders in the mid-2000s, but delete the neighborhood-specific data describing a 20% rise in home prices and never make the link to gentrification. The permanent effects of displacement are brushed aside with the statement that home values have steadily been restored. The amendments mention only a few neighborhoods with less dramatic housing inflation than the information that is deleted and fail to make the point that more and more neighborhoods are out of reach for most District residents.

The narrative should connect the dots and show how different influences are contributing to the housing crisis. For example, **Paragraph 504.2 and 504.3** state that 45% of new jobs in the District will pay low wages that will result in income eligibility for housing subsidies depending on family size and other household income. The text amendments follow these dismal projections by describing public investment and programs with no analysis of how or if these programs are working. Thus, the amendments are not connected to improving current policies and guiding changes to the policies. The assumptions on population growth are wrong, the reality of the housing crisis is not presented, the dearth of new policy directions is based on an irresponsible theory, and the result will be a greater disparity between expensive housing inventory and affordable housing inventory.

In addition, *the amendments are inconsistent in how to achieve the few policy initiatives they include.* For example, the goal of ensuring an inventory of 15% affordable units in every planning area is not followed up with policies that would encourage accomplishing those goals. Rather there are actions that include many significant directives that are not implementing policies. They seem to describe OP plans.

The discussion of the **Housing Linkage Requirement, 504.20 a-c** and **Action H-1.2.A**, presented in a callout box offer an example of missing information and missed opportunities to actually fulfill the goal of producing more affordable housing. The callout box includes an amendment to reduce the requirement for affordable housing stemming from density bonuses for non-residential or office development if the housing is produced in high housing cost areas, but there is no mention that Central Washington is exempt from the housing linkage requirement just as it is exempt from Inclusionary Zoning requirements.

There should be no exemptions and no reduction in the requirement for high cost housing areas including exemptions in a variety of neighborhood commercial centers. Council should not adopt these exemptions when the need for affordable housing is so great and those locations are mentioned in the Land Use Element as sites for affordable housing. *The intention appears to be to reduce or eliminate requirements on developers if they are inconsistent with their development vision or would reduce profits.* C100 believes that Council should reject these types of changes and OP's continuing support for exempting parts of the city from the responsibility to create affordable housing.

The inclusion of the 2006 strategy to target 1/3 of new housing for residents earning 80% of the median family income or less must be updated in the Housing Element to reflect the reality of housing inequities in the District. There is an abundance of market rate housing to meet the demand for amenity-rich housing, and developers will continue to build it because it is profitable. *But, it is no longer good policy, if it ever was, to encourage that 2/3 of new housing be market rate when it is documented that the overwhelming need is for thousands of units with rents residents can afford.* Figure 5.8 must be redesigned to illustrate a Housing Element policy that *targets 2/3 of new housing for lower income residents and 1/3 for higher income residents.*

Recommendations

- **Include more graphs that illustrate the income disparities in the District and the region, and the housing needs by income level segment and show where low cost housing, not just subsidized housing, is located.**
- **Expand the definition of affordable housing to include *non-means-tested rent control housing*.**
- **Clarify that development of more market rate housing is not the pathway to providing and maintaining affordable housing, unless there is significant reform of the IZ program.**
- **Consider whether the emphasis on financial and other incentives to create affordable housing in high cost areas is the right strategy to increase diversity, or if more targeted public investment is a more efficient and fair strategy.**
- **The Housing Element must reject displacement of Black residents as a byproduct of development; endorse the revitalization of communities that have a preponderance of low cost housing; and provide lower cost housing in areas where there is a preponderance of high cost housing.**
- **The policies in this element must not encourage more expensive housing where it is in abundance and the policies should be less theoretical and more sensitive to the realities of a city that has primarily developed as a city of neighborhoods.**

- **There must be analysis that provides information as the Council considers policies to better diversify affordable housing. The Council must decide what diversity and equity mean in terms of outcomes so that its guidance can lead to meaningful change.**

Suggested Language Changes/Additions

- **Restore existing language in the Housing Affordability section** that shows how housing affordability was presented in the 2006 Comprehensive Plan and that not much has changed.
 - Move paragraphs **500.12 through 500.18** to this section.
 - Add graphs showing 1) the production of low income housing by income bracket and by program in each ward and planning area, and 2) a separate graph with the same information for preserved low income housing.
 - **Map 5.1** is almost meaningless since it doesn't explain why there are fewer than 20 units of public housing in Ward 4 and 1000s of units in Ward 8.
- **H-1.2.1: Affordable Housing Production as a Civic Priority.** This policy does not fulfill the promise of its title. The production of affordable housing has universally been identified as the solution to the crisis, but *job opportunities must accompany housing*. It is clear from the text amendments that there is *no plan to create jobs that pay more than minimum wage*, at best, for the vast numbers of DC residents who don't have college or advanced degrees or specialized training. Workers and their families must have decent housing and the government must finance it. There are models to follow, but simply doubling down on policies that have made the problems worse in the past is not acceptable. The Comprehensive Plan must include amendments that change the strategy. *This policy must ensure that public investment will produce vast numbers of housing units to accommodate the vast numbers of housing burdened households in mixed income communities.*
- **H-1.2.2: Production Targets.** This policy proposes the same strategy described in the 2006 Housing Element, which is to build market rate housing and set aside 1/3 as affordable when the policy should be to use public funds to finance the housing District residents can afford. By opening this housing to everyone at a sliding scale of rent according to ability to pay, the District could collect revenue to fund the program and redirect public funds away from the many programs that reward the private market for establishing exorbitant rents that require public subsidies.
- **H-1.2.3: Mixed Income Housing.** This policy adds a small twist to the policy that affordable housing should be dispersed around the city. The change is to put some teeth in this by telling each planning area what they need to produce. This is not an equitable initiative or one that packs any social justice muster. It is simply a scheme to help developers move into high cost areas. The starting point is decades of federal investment, primarily, in public housing and tax credits to finance local projects that were substantially in minority neighborhoods. Thus, the proportions were not fair, but, instead of working to correct the imbalance as the District addresses the thousands of residents who need housing, *the plan is to accelerate market rate housing in all the places that already have market rate housing so that a small percentage of Inclusionary Zoning units can be built. This could lead to teardowns of buildings, many of which may be rent controlled, displacement of residents, and a significant increase in market rate units that will not make our neighborhoods more diverse.*

- **H-1.2.4: Housing Affordability on Publicly Owned Sites.** The policy adds 20-30% as the required set aside for housing accommodating a range of incomes. It should clearly prioritize housing for the lowest income residents and should prohibit any exemptions that lower the yield of affordable units. Once again, the amendments prioritize targeting high cost areas with no mention of where public land is throughout the city. To correct this gap, a graph should be presented to show the amount of public land that is not actively used and thus, is available, in every ward and planning area. If there is need to acquire more public land for this purpose, that fact should be stated in an amendment.
- **H-1.2.7: Density Bonuses for Affordable Housing.** This policy has been almost entirely deleted and replaced with amendments that would encourage PUDs as the vehicle to produce affordable housing in excess of the small amount required by IZ in exchange for more liberal density bonuses, especially in high cost areas. *Nowhere do the amendments suggest that IZ, which was a timid program from inception, should be a more robust program in response to many years of high housing production with the same minimal requirements for affordable housing.* The amendments are geared to giving developers more density bonuses. There is a nod to how this might affect historic districts and neighborhoods but the explicit statement cautioning against undermining the character of the neighborhood has been struck.
- **H-1.2.9: Advancing Diversity and Equity of Planning Areas.** The policy is entirely new. If the above policies were more specific about creating affordable housing this policy might have some meaning, *but nearly every policy that precedes this one aims to facilitate development of market rate housing with no significant requirements to address the documented need for thousands of affordable units.* The call for 15% affordable units in each planning area by 2050 is a supportable goal only if it provides the level of affordable housing needed and if it represents decent and safe housing. Expanding diversity is laudable but there appear to be no policies that call for increased and targeted public investment that would allow Black residents, many of whom need publicly subsidized housing, to live in neighborhoods that lack diversity. The plan appears to be to continue support for more and more market rate housing and the small amounts of affordable housing that produces.
- **H-1.2.10: Redevelopment of Existing Subsidized and “Naturally Occurring” Affordable Housing.** This new policy lacks clear intent. Is public housing included in this policy that mentions build-first and one-for-one replacement of units, terms that are usually associated with public housing? If this policy encompasses public housing, that should be stated. *In addition, encouraging replacement of unit sizes is not adequate: it should be a requirement, and relocation and right of return should not be tied to zoning density bonuses. These are standard requirements that implement equity and social justice principles. This amendment goes backwards and doesn’t even require permanent affordability. The policy must be rewritten as requirements.*
- **H-1.2.11: Inclusive Mixed Income Neighborhoods** is also a new policy. It is vague and should be rewritten to:
 - Encourage mixed income neighborhoods throughout the city
 - Ensure that adding higher priced housing to a neighborhood does not lead to displacement.
 - State that all neighborhoods must have attributes that make them livable and desirable places to live.
 - Require that government policies such as higher land value assessments for residential and commercial properties do not lead to displacement.

- **Action H-1.2.C: Property Acquisition and Disposition Division Program.** This policy should be more robust given the potential of this program to use public resources to improve vacant land with affordable homeownership and rental housing. Instead of continuing the program, *the policy should call for enhancing the program and extending it to non-profit developers.*
- **Actions H-1.2.D: Land Banking, H-1.2.G: Land Trusts, and H-1.2.H: Hotel Conversions.** The actions should be updated rather than deleted. There is an ongoing need for these policies to be included in the Housing Element. Each also reflects the District’s commitment to using tools to create wealth and opportunity for all residents in furtherance of equity and social justice principles.
- **Action H-1.2.E: Leveraging Inclusionary Zoning.** The action authorizes more density in exchange for a greater affordable housing set aside. OP is already pursuing this with the Zoning Commission. Instead of focusing only on projects requesting map amendments to increase density, *this policy should encourage a greater set aside for all projects.* Eight to ten percent affordable set aside, which is current law, reflects the Zoning Commission’s misgivings about the potential for the IZ to dampen housing production. It clearly has not had that effect over the past 11 years, yet the Zoning Commission has been unwilling to update the program to capture more affordable housing, which has resulted in a minimal number of new affordable housing units, vast amounts of market rate units, and no IZ requirement in downtown DC (in 2016 two of the smallest downtown zones were amended to include IZ) where significant amounts of housing have been built. Thus, this action should be used to convince the Zoning Commission to broadly reform the program, including *at least a 30% set aside for affordable housing and no exemptions. The policy should include even higher set asides for building near Metro stations and in map amendment cases. But any new bonus densities in addition to map amendment density increases must be evaluated, especially along high capacity transit corridors, in high cost areas, and in re-designated PDR areas for their impacts on the surrounding area, many of which are low density.* While a policy may sound just in theory, it may create other issues which, if anticipated, could be resolved or could lead to better policies.
- **Action H-1.2.F: Establish Affordability goals by Area Element.** The action is aimed at fulfilling the Mayor’s primary affordable housing initiative. While it has been reported as guaranteeing at least 15% affordable housing across the city, this action would authorize OP to establish higher goals and potentially to dictate by planning area the type of new housing to be built. Such an open-ended policy authorization is not good policy, partly because OP has demonstrated that it will favor developers and likely small units. How OP would forecast need is critical because if it continues to use the goals of developers rather than job creation, as is used throughout the region, the need will be skewed and the product will be more market rate units and very limited amounts of affordable housing.
 - This action must be rewritten to stipulate how OP will determine need and that need will be based on providing inventory to reduce the waiting lists for affordable housing and on job creation.
 - The allowance for incentives and financing tools to create affordable housing should be deleted. *For-profit developers should not be encouraged to build in high cost areas unless they are creating a preponderance of affordable units.* If they are building mostly market rate units, they should be encouraged to build in low cost areas where there is a need for new market rate housing *as long as strong anti-displacement policies are created and implemented.*

- In areas where the District wants more affordable housing, the *Council must invest in creating that housing.*
- **Action H-1.2.G: Continuum of Housing.** The action is based on OP or some other agency doing a needs assessment. The Council must stipulate what is meant by “needs assessment.” This new policy is overly broad in its premise that there are gaps in the supply of housing by unit and building type, location, and affordability. With this vague language, could OP determine that there are fewer multi-family buildings on Capitol Hill so programs must target that type of development even though Capitol Hill provides most of the row house housing in the District and other areas provide most of the multi-family housing? To simply look for gaps in certain types of units or building type is not efficient planning for an inclusive city. In our planned city, is there a reason that there are more 20+ unit buildings than 4-unit buildings and is that a problem to be solved? Is this policy going to result in OP directing how federal community grant funds will be spent? The main features of this policy are already in other policies; this one should be deleted.
- **Action H-1.2.H: Priority of Affordable Housing Goals.** The action has good and bad aspects. On the positive side, it targets public investment for affordable housing to areas where it has not been targeted. This statement should include preservation of affordable housing in high cost areas. On the negative side, it promotes converting existing housing to affordable housing in high cost areas. There is a significant amount of rent control housing in high cost areas, like Ward 3 or Rock Creek West, that is providing lower cost housing for residents who cannot afford market rate housing and do not qualify for rent subsidies. These are the likely units that this policy is targeting. *It is not realistic or equitable to create housing policies that remove affordable units from one group in order to accommodate another group.*
 - The Council should not be persuaded by OP’s narrow definition of affordable housing that omits rent control housing and fails to recognize that this program is providing thousands of residents with affordable housing.
 - The additional language that authorizes land use, zoning, and financial incentives to meet the 15% affordable housing goal is not warranted. *This part of the policy is rightly interpreted as a developer give-away.*

Diversity of Housing Type

Nationally nearly 65% of occupied housing units have 2-3 bedrooms. The amendments don’t clearly show in Figure 5.9 what the comparable percentage is in the District, but they do point out that 43% of District housing has 0-1 bedrooms and that more than 90% of new housing production over the past decade has been in multi-family buildings that include small units. While this section doesn’t mention it, one of the goals of the Comprehensive Plan as highlighted in the Framework Element is to retain and increase families in the District. It has long been reported that schools and housing costs are significant influences on a family’s decision to stay or go. Without question, people are leaving the District and with COVID-19 motivating residents to accelerate decisions about long-term housing needs, *it is essential that the policies in this section focus on providing housing that will retain and invite people, especially families, to live in the District.*

The admission that conversion of row houses has depleted family housing seems to point to a more urgent policy to stop this trend. Similarly, when only 13% of District housing with 4 or more bedrooms, and nationally more than 22% of all occupied housing has at least 4 bedrooms, it seems logical to maintain what we have and look for opportunities to expand this type of housing. It also makes sense to expand the inventory of for-sale housing as an important way to help build wealth and stability for all income levels, as well as to attract families.

Recommendations

Currently there are only two actions in this section: facilitate family-sized units in multi-family housing; provide technical assistance for existing cooperatives and condominiums. In addition, policies and actions should promote:

- **More robust actions to promote family housing options incorporating all the housing types available in the District that can build generational wealth.**
- **Innovative ways to finance the cost of land in order to facilitate homeownership.**

Suggested Language Changes/Additions

- **H-1.3.1: Housing for Families has been retitled Housing for Larger Households.** The original title should be restored. The policy should discourage the conversion of row houses that would reduce the number of bedrooms and remove a row house from the inventory of family-sized housing.
- **H-1.3.2: Tenure Diversity.** As proposed, the policy does not reflect the intense interest in owning a home in the District. The District has a majority of rental units and clearly the amendments would facilitate expanding rentals. Existing home ownership programs are not well funded and are not a priority. *Yet, home ownership is a significant means to build wealth for a lower income family and to expand opportunities.* This policy should encourage and ensure that homeownership is a priority and there should continue to be incentives to facilitate homeownership throughout the city and to assist families with financing homeownership, including ways to reduce the cost of land.
- **Action H-1.3.A: Review Residential Zoning Regulations.** This action has been deleted and deemed “completed.” It should be restored and updated. It should state that conversion of row houses to multiple units should be discouraged.
- **Action H-1.3.A (renumbered from 1.3.B): Create tools for Production and Retention of Larger Family Sized Units in Multi-Family Housing.** The action should be retitled to include single-family housing. *It should not be the policy of the District to single out market rate housing, which will never provide a majority of family-sized units, as the means to providing family-sized units.* When multi-family housing is planned, it should include family-sized units, but these buildings should not be perceived as the only type of housing for families. In addition, financial incentives should not be restricted to multi-family housing development or to high cost areas. Like some other amendments authorizing financial assistance or waivers of regulations in high cost areas, *this is less about production of affordable units and more about ensuring developers maintain profit margins.* Single-family homes are family-sized and provide additional wealth benefits to a family. This type of housing should share in any financial incentives available to developers of multi-family

housing. *The amendment's reference to high cost areas should be deleted; public financial assistance for home ownership should be available throughout the city.*

Housing and Neighborhood Revitalization

The Columbia Heights neighborhood is singled out as a community that has experienced economic and social recovery since 2000. The amendments highlight public investment in the area and results including rents among the highest in the city, home value appreciation among the highest in the city, and continuing diversity. *What is omitted is that the Mid-City planning area that includes Columbia Heights lost 12,000 Black residents between 2000 and 2017, and went from 52% majority Black residents to 52% majority White residents during that period. The Housing Element should not endorse models that lead to gentrification and displacement.* If this amendment is retained it should include a full description of the outcomes of the public investment.

There are substantial amendments to the **Property Acquisition and Disposition (PADD)** callout box. *The amendments delete all the data related to outcomes.* It is essential that any program mentioned in the Comprehensive Plan include information about its effectiveness in meeting goals. The PADD program has great potential to improve diversity and expand affordable housing opportunities, but its goals assure it will underperform. The FY20 budget set a target of acquiring only 10 properties in FY20 – all in Wards 7 and 8 – and delivering only 50 units. The Framework Element estimates that there are upwards of 60,000 potential units if vacant and blighted properties were developed. Along with updated information about accomplishments, the amendments should include a policy to ensure that PADD is a priority and that the goals are expanded to produce thousands of home ownership opportunities throughout the District.

There is also a *callout box on New Communities* that narrates the intentions of the program. It has, in fact, been a disaster and *roundly criticized by the communities it serves.* None of its projects have delivered and thousands of public housing residents have been displaced. The Comprehensive Plan must account honestly for this program and its unmet promises.

There is no narrative about public housing generally, which is a major omission in the Housing Element. There must be text that describes the history and says more than federal funding support has been decreasing. The Housing Element is where the DC Council announces its intention to plan and fund the restoration and expansion, as necessary, of public housing, and support for creative options to provide opportunities for public housing residents that expand their capacities and showcase their human worth. *Amendments that call for minimizing displacement and build-first when feasible must be deleted and replaced with requirements.*

The history of housing the most vulnerable residents is shameful and there must be no conditioning of the responsibility to provide safe and decent housing. The Council should also take note that the term “public housing” has been deleted in many of the housing policies and replaced with the broader term “affordable housing.” *It is essential that the Council continue to focus policies on the most vulnerable group of residents who qualify for public housing by restoring the language.*

Recommendations

- **Include policies and actions that display *more urgency*. Many of the actions, for example, continue current programs with no added directives or heightened goals.**
- **Prioritize revitalizing housing and neighborhoods as the District confronts gentrification, displacement, and inequitable distribution of amenities and opportunities.**
- **All policies and actions on public housing should require a commitment to reverse decades of unkept promises and neglect.**

Suggested Language Changes/Additions

- **H-1.4.1: Restoration of Vacant Housing.** The policy should include language that calls for public financial home ownership assistance.
- **H-1.4.2: Opportunities for Upward Mobility.** The policy is vague and, as such, it will never be implemented. Revise to be more specific.
- **H-1.4.3: Focusing Housing Investments.** The policy is directed to neighborhoods with the “greatest potential for sustained improvement,” which seems to mean that the elements for prosperity are already in place. *Instead this policy should direct public resources to neighborhoods with the greatest need and use public funds to help create the elements that will sustain them.* Rewrite.
- **H-1.4.4: Public Housing Renovation** should be revised to:
 - Prohibit displacement and ensure build-first implementation and one-for-one replacement that includes size of units.
 - Replace the last sentence from 2006 that targets this policy to areas where private developers show interest with *a directive that new public housing will be equitably distributed throughout the city.*
 - Require developers of any type of subsidized housing to maintain this housing for a period of at least 10 years so that there is a guarantee that it will be sustainable.
- **Action H-1.4.E: Additional Public Housing.** The action calls for studying the need for public housing. This should be deleted because studies will only delay action on a well-documented problem. There has been a wait list since 2013 and the documented need from other credible sources is so great that DC could never exceed the demand.
 - HUD Sec. 108 subsidies should be used along with other sources to finance housing for families earning 0-30% MFI rather than using this type of financing for projects that will produce predominately market rate units with a minimal amount of housing for the extremely low income. The deleted last sentence must be restored absent the contingency language.
 - Project-based voucher funding is essential to operate publicly financed housing, which often provides services for a range of low income residents.
- **H-1.4.5: Scattered Site Acquisition.** This curious policy appears not be connected to any program. It also only highlights the aim to provide affordable housing near high performing schools. But this amendment is too narrow and it implies that this policy is only meritorious where there are high performing schools. *An explicit action to link affordable housing opportunities to schools, jobs, retail, parks and open space, transportation, and amenities should be added.*

- **Action H-1.4.C: DCHA Improvements.** The action should include extending the application of sub-market rents to increase use of vouchers throughout the District. Currently, many gentrified neighborhoods are not included even though prevailing rents fall within the higher HUD fair market rent allowance for the District. The vouchers should be used throughout the District and the adjusted fair market rents per neighborhood should be no more than rent control rents and no more than the lowest average rent for a new market rate unit. *The policy should be revised to ensure these programs are maximized and equitably applied throughout the District.*
- **Action H-1.4.D: Tax Abatement.** The action to promote housing where it might compete with office uses is no longer relevant. Almost every zone that permits non-residential uses also permits housing to achieve full density. This amendment encourages tax abatements for conversion of office space to residential units that would be predominately market rate. This is a terrible policy and should be deleted. *There is no need to incentivize market rate housing. Further, there is no evidence that office space is easily converted to residential uses, or that, even where this might be possible, tax abatements are needed. Most importantly, this action suggests that some unspecified addition of IZ units over the 8-10% required is enough to trigger reducing tax revenues to benefit a single developer. This is unwarranted and bad policy.*
- **Action H-1.4.G: Co-Location of Housing with Public Facilities.** This is an important new policy, but is inequitably targeted to high cost areas. Public facilities are often well located near other amenities in neighborhoods. From the perspective of neighborhood residents deeply rooted in their communities, there are many advantages to living on a public facility site in a lower cost area if good infrastructure and services are provided as there would be in a high cost area. This policy implies that there are only benefits to co-location in high cost areas, which is not true. Revise this amendment.

Reducing Barriers to Production

This section is focused on regulatory reform to reduce perceived obstacles to building new housing. *This is a worthy goal as long as the public's interest is preserved and there is persuasive evidence that a city-wide goal will be met.*

Suggested Language Changes/Additions

- **Action H-1.5.C: Reducing Cost of Public Financing.** This welcome new policy focuses on coordination among housing agencies to expedite the production of affordable housing. It should also make it a priority to shorten the request for proposals (RFP) funding cycle and increase the number of processed RFPs annually. The production of affordable housing units leveraged with public funds must be maximized.
- **Action H-1.5.D: Support Accessory Apartments.** This new policy addresses OP's frustration that residents are not keen to take advantage of 2016 zoning regulation changes to expand this program. OP is grasping at ways to force home owners to rent units on their properties. There appears to be no need to expand housing for no more than 3-person households when there is an inventory of market rate units. If accessory apartments is a tool to produce affordable housing, more regulations are needed. Currently, there is no requirement for income eligibility or maximum rents. OP is assuming a result that is not

required. This action should be deleted or rewritten to state its objective and why this is good policy given there is no nexus to affordable housing.

Sustainability and Resilience

This is a new section in the Housing Element.

Recommendations

- **Include a policy to *avoid building new housing in the 500 year flood plain or the 100 year flood plain unless it can be ensured that residents will not be vulnerable to the extreme weather conditions and their homes can withstand damage from these events. It is not enough to try to reduce what can be life threatening conditions when there are options to avoid using flood plains for housing.***
- **Move the new section on transit oriented development. There are no similar policies in this section and it does not belong here .**

Housing Conservation: Retaining Our Housing Stock

In this section “conservation” has been replaced with “preservation” and “stock” has been replaced with “opportunities.” While it seems like a silly distinction, the District is losing affordable housing units and this is the Housing Element, not the Opportunity Element.

The amendments delete important history that shows the affordability crisis was highlighted in the 2006 Comprehensive Plan. That crisis is now put in stark relief because there are over 40,000 more rental units affordable to households earning over 60% MFI and over 18,000 fewer units for households earning less. The history should be restored to illustrate the duration and breadth of the problem. The information about sales prices should be accompanied by the history as well as updated data on the number of homes no longer affordable.

The amendments include a discussion of displacement that is long and academic and implies that there are forces beyond government policies and actions that cause displacement. This section should directly state:

- The financial policies, including special tax treatments for development;
- Public land dispositions that give land away for expensive projects;
- Increased property tax assessments near developments;
- Lack of attention, including rundown and unsafe public housing;
- Lack of investment in underserved communities;
- Delayed implementation and funding of DOPA, insufficient funding of PADD, and other programs to transform blighted and vacant properties that have contributed to displacement.

Council should scrutinize the amendments and thoroughly reject old strategies that accompanied displacement and did nothing to prevent it.

The Housing Element suffers from insufficient data on existing programs and their effectiveness. Where is the updated data on the status of expiring Low Income Housing Tax Credit and Sec. 8 projects? There should be data illustrating the number of units and location of this housing in each ward and planning area, and a comparison bar graph showing how many units have been preserved either through renewal of the contracts or public efforts to maintain these properties as affordable. Currently, the amendments don't link an analysis of the issue with the program solutions, including the Local Rent Supplement Program, and measure the effectiveness of these programs. Without this information, how can the Council determine what policies to authorize to address preservation of affordable housing?

As mentioned above, the theme of the Housing Element amendments is to prioritize market rate housing, and it is no different in the affordable housing section. *In a callout box titled Principles for the Redevelopment of Existing Affordable Housing, the first and second bullets call for both more market rate and affordable housing. This is a remarkable statement in this section when over the past 15 years market rate housing has enjoyed the support of OP, the Council, and regulators while affordable housing has been lost. The remaining bullets endorse one-for-one replacement of units, more family-sized units, build first, and tenants right to return, but other earlier policies condition those principles. Indeed, these principles are also conditioned on the availability of land, financial incentives, and the certainty of land. The last condition is a thinly veiled reference to stopping dissension and protests of land use decisions perceived as not in the best interests of the District. There can be no doubt based on the amendments that the public priority is more and more market rate housing despite the dramatic data from other sources and Housing Element text, however incomplete, that the District must act to reverse the affordability crisis. There are few, if any, amendments in the Land Use or Housing Elements that mention the retention of affordable housing without first mentioning market rate housing or tying it to more incentives for developers.*

Recommendations

- **Abandon the strategy to convert affordable housing, including rent control units, to subsidized housing. The lack of supply of subsidized units is real and there should be more funding, urgency and measurable results to maintain subsidized housing and increase its availability, but taking existing low cost apartments out of the affordable housing inventory is counterproductive.**
- **Strengthen policies addressing displacement so that it is a rare occurrence.**
- **Target those vulnerable housing developments where subsidies are expiring and use all public resources, including DOPA and PADD, to keep these units as affordable housing.**
- **Maintain and build public housing without loopholes that always disadvantage the residents.**

Suggested Language Changes/Additions

- **H-2.1.1: Conserving Affordable Rental Housing.** This policy includes an amendment to prioritize preserving units in high cost areas and rapidly changing neighborhoods which

appears to mean gentrifying neighborhoods. This sounds good, but the absence of emphasis for all parts of the city means that protecting existing units is not a priority in other parts of the city and its game on. This should be redrafted to strengthen a citywide policy which will not diminish the protection in high cost areas but will better protect less costly parts of the District as well.

- **H-2.1.2: Expiring Federal Subsidies.** This policy includes an amendment to preserve 100% of expiring subsidies, but then conditions with “if possible.” The phrase “if possible” should be deleted.
- **H-2.1.3: Avoiding Displacement.** Redraft with stronger language that calls for the end of policies and actions that lead to displacement and strengthen programs to actively prevent situations that lead to displacement.
- **Action H-2.1.D: Affordable Set-Asides in Condo Conversions.** The action does not reference earlier text that links condo conversions to decreasing numbers of affordable units, including family-sized units. Even with a set aside, this practice is displacing families and, in some instances, low income households. The action should be rewritten to preserve family-sized units and avoid displacement.
- **H-2.1.5: Long-Term Affordability Restrictions.** The amendments would permit local programs a limited period of affordability rather than leverage public financing or incentives for the life of the building or in perpetuity. This amendment should be redrafted to *require affordability in perpetuity.*
- **H-2.1.6: Rent Control.** The policy includes amendments that would authorize the restructuring of this program as a subsidized housing program. The Council should reject the amendments and this concept. Rent control is a critical program to stabilize rents in a city where they are skyrocketing and the percentage of households that are housing burdened is rapidly increasing. The District has a responsibility to very low income households that are income eligible for housing subsidies, but it is bad policy to alter a program that is considered a life line in order to address other significant housing cost issues. Delete the amendments.
- **H-2.1.8: Redevelopment of Affordable Housing.** Redraft with stronger language. There must be an expressed commitment to public housing and not just a preference to redevelop public housing sites with equity and inclusion principles. Public housing must be named and all language that weakens the commitment, such as “if feasible” must be struck from this and other public housing policies.
- **Action H-2.1.C: Purchase of Expiring Section 8 Projects.** Update to strike “implement DOPA” and insert “fund DOPA.” The city has implement DOPA regulations. Now it needs funding.
- **Action H-2.1.F: Affordable Housing Preservation Unit.** The action includes language that authorizes a new program to “establish relationships and gather intelligence” with the goal of converting unsubsidized affordable housing into long-term dedicated housing. This is an example of robbing Peter to pay Paul. It should not be District policy to intentionally decrease the number of unsubsidized affordable housing units from the inventory of rentable apartments. This leads to the conclusion that the District has only very wealthy residents and very low income residents who need rent assistance. *There are thousands of residents on fixed incomes or who earn wages insufficient to pay for luxury housing. It is imperative that DC at least maintain its inventory of unsubsidized affordable apartments.*

This new policy should be deleted. *The language about gathering intelligence should never be in the Comprehensive Plan.*

- **Action H-2.1.I: Tracking Displacement.** This new policy misses the mark and should be deleted. Displacement must be avoided. It is too late once data on displacement is collected: the harm has been done. The causes of displacement are known – DC must have policies that don't encourage the causes and instead place a high priority on retaining residents of all incomes and race.

Housing Conservation and Maintenance

This section is brief but very important. More than 27% of homeowners are seniors and a substantial number are low income. *An amended tax policy does not address the critical issue of rising property tax assessments in neighborhoods where development or renovations have occurred, often by developers who intend to flip them for higher resale.* While the District has tax programs to assist very low income residents, there are many vulnerable residents who are not eligible or the programs are inadequate, and who face uncertain and escalating property taxes each year. This policy must address more than simplifying tax relief measures. It should *authorize restructuring the tax code to spread out assessments, remove the influence of nearby redevelopment and consider freezing taxes for long term residents.*

This section includes a new policy on healthy homes that is important and should be expanded. Remediation of older homes is a good policy, but the policy should authorize funding to help homeowners. The costs can be substantial and many homeowners at all but the highest income levels delay these repairs because of cost. In addition, increasingly homeowners are experiencing the failure of infrastructure that results in flooded yards and basements, and prevents them from entertaining accessory apartments. In many cases, DC agencies claim no responsibility and homeowners are faced with enormous costs or ignoring the public health and safety byproducts of delaying repairs. The District should confront aging and failing sewer, storm water drainpipes, and culverts with a policy that creates or expands programs to provide technical assistance and financial help for residents in these situations.

Suggested Language Additions/Changes

- **Action H-2.2.A: Housing Code Enforcement and H-2.2.B: Sale of Persistent Problem Properties.** This action appears to be focused on slum landlords without calling them out. It should be clear who is the focus of enforcement. If homeowners are the focus, there should be additional language ensuring technical and financial assistance so that they can stay in their homes in safer conditions.
- **Action H-2.2.C: Tax Relief.** This action authorizes more tinkering with the tax code to provide relief for moderate income residents. The Council should consider re-evaluating the structure of the code that has resulted in significant revenues while leaving many homeowners dissatisfied and uncertain about whether they can stay in their homes.

Home Ownership and Access

This section begins with an amendment that addresses affordable housing opportunities in high cost areas to further Fair Housing. While cost can be an impediment, there are many

additional impediments to furthering Fair Housing including insufficient vacant land for development, inadequate public services and infrastructure, and insufficient local engagement in planning. To chart the way forward towards Fair Housing throughout the city, the Plan needs to examine how all of these factors play into inequity.

This section should present the many benefits that home ownership provides for families. Many of the amendments promote market rate rental housing that only builds wealth for the owner. *It's important that this section demonstrate how the District will use its land resources to spread the rewards of property ownership to more residents. The goal for home ownership should be increased from the goal set in 2006.*

Suggested Language Additions/Changes

- **Action H-3.1.A: HPAP Program.** The amendments call for periodic review of adequate funding levels to facilitate home ownership for low income households. This is too passive; *the language should call for expanding the program and ensuring annual funding levels to produce significantly more ownership opportunities.*

Housing for Persons with Special Needs

This section states that there are thousands of people experiencing a range of situations that affect their ability to find secure and safe housing. This is a very important part of the Housing Element and it should provide more detail, including:

- A comparison bar graph showing the change from 2000 to 2017;
- A chart of how many people in each category reside in the District;
- A map of where special needs housing is located; and
- Data showing if residents have lost housing since 2006 due to the closure of special needs housing and displacement.

The amendment that discusses homelessness is vague. It provides detail about the numbers and percentages of DC homelessness compared to the region, but it lacks data on the numbers of hotel rooms, duration of stays, success of rapid rehousing, and other programs focused on outcomes.

It is concerning that amendments include researching the common causes of homelessness in order to prevent homelessness and to develop a more effective crisis response. This implies that little is known about these policies when, in fact, the District has had a great deal of experience and has often been an innovator in addressing homelessness. *Amendments should be redrafted to propose policies that are aggressively proactive, and that complement actions such as **H-4.2.A: Homeward DC**.* In order to express the urgency of housing people and families with special needs, the actions, such as implementing the Youth Homelessness plan and the creation of a daytime services center for the homeless, should follow policies that ensure the funding of these programs.

A proposed Action to prepare a Winter Shelter Program has been removed from the amendments submitted to the Council. Since this represents a critical element of the District's program, the Council should restore the amendment.

It is challenging to provide housing policies for vulnerable populations absent data on the type of housing needed, whether it is a permanent or short-term need, whether or not it needs to be subsidized, and the overall forecasted needs. The Housing Element is the appropriate document to present the need and link policies and actions to addressing it.

The text should include much better data on which to base these policies and actions:

- Actual growth in the population of older adults since 2000;
- The rate of growth of this population through 2030 as compared to the general population to provide an important and not obvious perspective for planning priorities;
- An update on the implementation of the 2012 report that listed dozens of strategies for aging in place; and
- Data on how many people are housing burdened, need rent subsidies, homeless (including older adults), disabled, returning citizens, HIV/AIDS positive, suffering from mental health issues, and recovering from domestic violence.

Recommendations

As amended this section does not provide enough information to formulate policies and actions that are specific and meaningful, and importantly, can be evaluated in the future. This important section would benefit from more context:

- **Quantify the growth of special needs persons in each category and their housing needs.**
- **Make explicit Housing Element policies to provide guidance for funding and program creation or expansion.**

Suggested Language Additions/Changes

- **Action H-4.3.B: Incentives for Older Adult Housing.** This action includes an amendment to remove barriers to the development of assisted living and senior care facilities without stating what barriers exist, a deficiency that must be corrected. The amendment should also state that the Inclusionary Zoning program should no longer exempt these facilities from the affordable housing set-aside requirement.
- **Action H-4.3.D: Aging in Place.** This amendment should include *rent control apartments as a program that makes it possible for low income older renters to age in place*. Expansion of this program that benefits any resident who needs to control housing costs, including people who may eventually be on fixed incomes, should also be included.
- **H-4.3.4: Housing for the Disabled.** This policy is based on a current policy urging that universal design be included in 8% to 12% of new housing stock over a 20-year period. The amendment calls for 12% over the next 20-year period but there is no information on whether the 2006 Housing Element goal was met and if the amendment reflects a new goal or implementation of the previous goal. The Council should correct this confusion.

IV. Historic Preservation Element

The District holds the distinction of being the nation's capital and a city with a vibrant past and present that is tied economically and governmentally to its dual role. One of the benefits of the District's unique identity is the rich physical heritage that the city seeks to preserve and millions of visitors want to experience. It is particularly important to the C100 that the Historic Preservation Element contain text and policies that explain the District's legacy and how it will honor its past and embrace its future so that future decisionmakers understand its significance.

The amendments significantly expand the history of the development of the District. Consistent with many of the amendments in other elements, the Historic Preservation Element amendments highlight population growth, which the C100 has questioned for accuracy in its comments on the Land Use Element .

Words matter, particularly in our current environment. In our view, there are several language changes that, while subtle, will have real consequences.

Specific Language Change/Additions

- **Action HP-1.1.B: Local Significance of Historic Federal Properties.** The amendment softens the District's commitment to maintaining federal historic assets that are important to District residents and all American citizens by changing the requirement that we *"ensure" that locally significant characteristics or qualities are maintained with locally significant characteristics or qualities "should" be maintained.* The original stronger language must be restored.
- **Policy HP-1.5.5: Historic District Designation and HP-1.5.6: Consulting the Public.** The amendments replace "ensuring public engagement" with the weaker statement that the "public should be involved and consulted." The original stronger policy should be restored.

The Image of Washington

We are concerned by amendments in this section that eliminate references to important features such as our horizontal skyline, and would allow dramatic and irreversible changes to what is unique to, and identified with, Washington, DC. The attempt to re-envision the historic quality of the city is brought into stark relief by an amendment that would allow billboards to be erected in neighborhoods and the most historic parts of the city. This is ill-conceived and seems to be a reaction to years of pushback to the visual blight of billboards in the nation's most historic city so that a powerful lobby can attain its long-planned foothold in the District.

Recommendations

- **Restore existing Historic Preservation Element policies and continue to protect the unique physical qualities of the District that residents highly value and that contribute to the beautiful and human-scale city that attracts visitors from all over the nation and the world.**

- **Prohibit intrusions such as billboards and minimize the visual impact of antennas which can distract and mar the experience of the city.**

Specific Language Changes/Additions

- **Policy HP-1.6.2: Protecting the City’s Historic Character.** The amendments have dramatically changed this policy. The definition of the historic skyline, as amended, appears to only include the natural features and topography that is in turn “punctuated” by historic buildings and the word “horizontal” has been eliminated. Our skyline, which is indeed “horizontal,” includes the built environment. The built environment does not just “punctuate” that skyline, it is part of it. The statement should be edited to read “Preserve the horizontal skyline formed by built, natural and topographical features punctuated by historic buildings and monuments.” In our view, the proposed amendment could be misread to downplay the horizontal skyline and suggest that buildings could exceed the Height Act limit: Instead of complimenting the horizontal quality of both natural and built forms, they could contrast with it. *This would be an astounding invitation to amend the Height Act and authorize developers to build signature structures to erase the most distinctive feature of the District.*
- **Policy HP-1.6.5: Commercial Signage.** The policy amendment is new and would remove the prohibition on billboards and replace it with a vague policy that billboard proliferation be controlled. The language supports billboards as providing economic vitality and would authorize them in designated entertainment areas (DEAs), which in withdrawn draft regulations were defined as any commercial area with a restaurant. *This is a bold effort to give the powerful and wealthy billboard industry a foothold in the District and to replicate the intrusive Verizon Center aesthetic throughout the city.* This policy should be rewritten to continue the District’s longstanding ban on billboards and the intrusion of their blight upon the District’s monumental grandeur and elsewhere throughout the city. Continue to restrict digital billboards to the “entertainment districts” that have been designated by the Council. Move the policy to the Land Use Element since the policy applies beyond historic districts and has wide ranging implications for the District.

The Historic Plan of Washington

The Council version of the amendments includes a call out box that defines the L’Enfant Plan, McMillan Plan and 19th Century Refinements as the Plan of the City of Washington. However, the text in this section downplays the contribution of the McMillan Plan to the development of the District. Other amendments diminish over 100 years of planning principles that significantly guide the organization of built space to open space, and leave it uncertain if the SHPO would be consulted on public space changes in the L’Enfant Plan areas and the public parks of the McMillan Plan.

Specific Language Changes/Additions

- **Action HP-2.1.D: Review of Public Improvements.** Amendments would alter the current SHPO review of public space alterations to ensure compatibility with the L’Enfant Plan and would remove any consultation with the State Historic Preservation Office (SHPO) on

changes in public parks that might be inconsistent with the McMillan Plan. The directive to ensure that consultation with the SHPO occur has been weakened to state that it should occur. The original language should be restored.

- **Policy HP-2.1.1: The Plan of the City of Washington.** Restore the original language. The amendment would replace “protecting” historic rights-of-way from incompatible intrusions and incursions to “preserving” these rights of ways from intrusions and incursions. “Preserve” does not have much meaning in this context and there is no reason not to continue the policy to “protect” the rights-of-way.
- **Policy HP-2.1.2: Spatial and Landscape Character of L’Enfant Plan Streets.** The amendment would replace “protect” with “preserve.” It is important to protect open space and reciprocal views of L’Enfant streets, avenues, and reservations. This is a stronger statement than preserve and thus, the original language should be restored.

Historic Landscapes and Open Space

This section includes amendments to existing policies with only one new action proposed. As with earlier sections in this element, strong policies are amended to provide weaker guidance. *Notably, the amendments reframe large site development affecting the natural escarpment around central Washington from accommodating reasonable demands for new development to encouraging development.* Whereas, the current Historic Preservation Element policy advises that a reasonable amount of new development should “harmonize with the natural topography and preserve important vistas over the city”, the amendment encourages new development that is harmonious with the topography and respectful of vistas. *Rather than the landscape and vistas being the preservation focus, the goal per the amendment is development that no longer would need to carefully adapt to the historic setting and breadth of historic significance.*

Specific Language Changes/Additions

- **Policy HP-2.2.5: Streetscape Design in Historic Districts.** The amendments delete “ensure” that streetlights, sidewalks, etc. within historic districts are compatible with the historic context and replace it with weaker guidance that these public works features “should” be compatible. Restore the original language.
- **Policy HP-2.2.A: Historic Open Space.** The amendment would replace the intent to “protect” the setting of the historic landmark and the integrity of the historic property with “preserving” it. There is a distinct difference in the two statements. The current policy would ensure that new construction does not adversely affect the landmark; the amendment would retain the physical elements of the landmark, but not necessarily authorize no adverse impacts. Protect should be restored.
- **Action HP-2.2.A: Protecting Historic Landscapes.** The amendment once again deletes “ensure” that new construction is compatible with the historic setting and replaces it with “make” new construction compatible with their historic character. This is an awkward phrasing and should be deleted. The amendment diminishes the quality of the guidance that is merited.
- **Action HP-2.2.B: Protecting the Natural Escarpment.** The amendments should be deleted. *They would reverse the priority of protecting historic natural features and open vistas over*

the city and replace it with a priority to develop new construction in these areas with less concern about the impact on the natural historic environment.

District Government Stewardship

The amendments yet again employ language that seems to soften the District's commitment to the historic properties in its own inventory. This section extends the amendments changing the approach to District-owned properties. The Council should reject this approach and restore current policies that permit development while protecting one of the most valuable assets the District enjoys.

Specific Language Changes/Additions

- **Action HP-2.3.A: Protection of District-Owned Properties.** Proposed amendments would delete “ensure” and instead “encourage” early historic preservation review of District project planning. Instead of applying standards that are consistent with the standards applied by the federal government on their projects, the amendments would require only that standards be compatible. Once again, this is a weakening of the guidance on implementing the element's policies.
- **Action HP-2.3.C: Protecting Public Spaces in Historic Districts.** Restore the original language. Amendments would replace “protecting” in the title to “preserving.” The action continues to call for the development of guidelines for District agencies and utilities to protect public space as a significant and complementary attribute in historic districts. It is disappointing that guidelines have not been adopted in the past 15 years, but it is also concerning that ensuring the guidelines require quick restoration after utility work has been replaced with a weaker statement that the guidelines should provide for quick restoration.

Zoning Compatibility

This new section adds a preamble to a single policy and action on zoning. While the preamble mentions the 2016 zoning rewrite and changes in a few zones to reduce height maximums to the prevailing height, the actual policy has been amended to weaken guidance calling for zoning to better align with the building pattern in historic districts.

The new language states that zoning “should be compatible” with the predominant height and density in historic districts, rather than the current policy “shall be consistent” with the predominant dimensions of houses in historic district. This change would allow the Zoning Commission to approve taller heights than the prevailing heights in historic districts if, in their view, the different heights are “compatible.”

Another amendment to this policy calls for monitoring how well zoning regulations preserve features of older neighborhoods that are not protected by historic designation. This is an ill-conceived amendment since zoning does not address features of homes. The intent with this amendment appears to be to mislead preservationists that policies are not needed in other

sections of the Historic Preservation Element to protect features like turrets, porches, or balconies because zoning is protecting them.

The ambivalence in the importance of historic preservation as displayed by the amendments is apparent in this section's action, which states that zoning regulations setting height and density controls may need adjusting to accommodate growth and affordable housing. This action currently encourages down-zoning where regulations exceed the predominate heights. The amendment subverts the meaning to encourage up-zoning on the basis of specious growth predictions and non-existent programs to provide affordable housing in most historic districts.

Recommendations

- **Strengthen the amendments that would weaken current Comprehensive Plan guidance to protect historic districts from inconsistent incursions. The effect of the amendments in these cases is to dilute protections and encourage development that could be out of scale and incompatible with historic development patterns. The unsubstantiated rationale seems to be that intense population growth requires more intense development than is currently considered appropriate in historic districts.**
- **Use the OCFO population projections because OP's conclusions do not conform to current trends or reports from national independent forecasting firms used by the OCFO and thus, there is no pressing reason to reduce controls in historic districts.**
- ***The additional claim that fewer preservation controls would produce affordable housing is wholly unjustified.* The affordable housing programs that facilitate homeownership or that preserve affordable housing can and do operate in historic districts, and the Inclusionary Zoning program only applies to properties with 10 or more units, which is not the typical housing type in historic districts.**

Specific Language Changes/Additions

- **Policy HP-2.4.1: Preserving Standards for Zoning Review.** The amendment weakens the guidance that zoning should follow the predominate height and density established in an historic district. Delete this amendment and restore and the stronger language. In addition, there is an amendment that would monitor the destruction of characteristic features in neighborhoods not protected by historic designation rather than develop regulations to preserve these features through zoning. This is a "watch the house burn" type of amendment that should be deleted.
- **Action HP-2.4.A: Zone Map Amendments in Historic Districts.** The amendment should be deleted and original language restored.

Review of Rehabilitation and New Construction

This section is particularly important in determining how residential projects in historic districts should be planned to meet preservation principles. The policies also influence the

parameters of HPO and HPRB reviews of these projects. The amendments in some cases weaken deference to the existing building form.

Specific Language Changes/Additions

- **Policy HP-2.5.3: Compatible Development.** The amendments would weaken protection of the established form of development in historic districts by deleting “preserve” and substituting “respect” for existing lot coverage, height limits, open space and other standards that characterize these areas. Instead of additions and exterior changes being in scale with the historic context, the amendments would delete “ensure” that new construction is in scale and substitute “should be in scale.” The original language should be restored.
- **Policy HP-2.5.B: Design Standards and Guidelines.** This section includes an amendment to delete “ensure” that design guidelines for historic properties and design of new buildings subject to HPRB review are specific to particular historic district characteristics and replaces it with “should address” these characteristics. The original language should be restored.

Archaeological Resources

The theme of amending policies to go *from certainty to optional, vague and unenforceable* continues in this section. While archaeological artifacts have long been considered important civic property, the amendments delete the policy that these resources must be “preserved and catalogued” for future generations and substitutes that inventories and proper storage should be “properly curated.”

Specific Language Changes/Additions

- **Policy HP-2.6.2: Curation of Data and Artifacts.** Restore the original language to ensure proper handling and preservation of these civic resources.
- **Action HP-2.6.B: Archaeological Surveys and Inventories.** The proper procedures to preserve artifacts no longer “must” be done by professionals. The weaker language provides that it “should” be directed by professionals, but there is no assurance that it will be.

Enforcement

Enforcement is a priority in many historic districts where illegal construction or non-compliance with reviewed and approved plans lead to incompatible development. Instead of enforcing compliance, the one policy that addresses construction weakens enforcement tools.

Specific Language Changes/Additions

- **Policy HP-2.7.2: Preservation Law Enforcement.** The policy deletes the strong statement that enforcement “should be ensured” with fines and other tools, and replaces it with a weaker statement that enforcement authority “should encourage” compliance. The

language should be strengthened to list suspension or revocation of a building license as a potential penalty for non-compliance.

- **Action HP-2.7.B: Accountability for Violations.** The action would delete creating fines that are substantial enough to deter compliance and substituting fines that “should be” substantial enough to serve as a deterrent. This is part of a pattern of removing certainty from the policies and replacing it with language that permits a range of reactions, including no action.

Preservation and Economic Development

The current Historic Preservation Element documents the commitment of residents to maintain historic districts. A deleted sentence states that more than 1/3 of construction permits over a period of years has been for projects in historic districts. An amendment states that over an unspecified recent period of time the HPRB and HPO reviews more than 5000 project applications annually. Statistics on the contribution of development in historic districts should be compared to general development in the District.

The introductory text in this section includes a new paragraph that implies that past population gains will continue and will create a housing shortage that every neighborhood, including historic districts, must address. As discussed in the Land Use Element and the Housing Element, the District has been experiencing falling population gains since the gains peaked in 2013. In 2018 and 2019, more people left the District than came to live in the District. The OCFO population forecasters do not predict a change in this trend. The premise that there is a pressing need for housing for new residents is not substantiated by independent professionals.

The need for housing is more nuanced. There is more supply than demand for the type of expensive small rental units that the District has encouraged developers to build. There is a great need, however, for affordable housing, especially family-sized units, that can be bought or rented. This element of the Comprehensive Plan should include a bar graph and data showing how much of the inventory of family-sized housing and how much of affordable housing is in historic districts.

Specific Language Changes/Additions

- **Add data to show the overall incidence of historic preservation projects in comparison to non-preservation projects on a year-by-year basis.**
- **Policy HP-4.1.4: Historic Preservation and Housing.** Historic Preservation and Housing needs should not be assumed to be at odds and, therefore, requiring balance. That is the purpose behind the study recommended in this policy. The language should be edited to simply read: “Study and evaluate data on the interaction between historic preservation and housing needs and costs.” The further text should also be deleted as it implies, without any data, that historic preservation is a barrier to affordable housing that must be addressed to align it with housing production goals.
- **Action HP-4.1.C: Preservation and Housing Affordability.** The language should be altered such that once the study evaluating any impacts of historic preservation on housing affordability concludes, strategies are developed to assure they are not mutually exclusive

goals. The way it reads, preservation tools are already assumed to be subservient to housing affordability and require change.

- **Policy HP-4.1.5: Affordable Housing in Older and Historic Buildings.** This new policy should be expanded to include not only rental units but also homeownership housing in older neighborhoods. The reference to “low-cost market rate units” in older buildings refers to rent control housing. the term “rent control” should be used.
- **Policy HP-4.1.6: Grant Programs and Tax Relief.** This new policy is targeted to low income homeowners, but its benefits should be extended to middle-income residents, who want to maintain older homes and may struggle with updating aging systems as well as the costs of preservation.

Preservation Incentives

This section includes an amendment to offer revolving funds and targeted financial programs to encourage the private sector to rehabilitate historic properties. We strongly urge the Council to consider that many historic districts are seeing a pattern of real estate agents working with developers to purchase properties in historic districts before homeowners have an opportunity to buy these properties. The developers often do massive renovations and additions and then put the property back on the market for a much higher price than homeowners who might have been able to afford the property before it was remodeled can afford. Neighborhood diversity suffers and historic districts get labeled as expensive and exclusive. This has nothing to do with the designation of a neighborhood as historic, but it has significant consequences on perceptions and potentially policies.

Specific Language Changes/Additions

- **Policy HP-4.2.1: Preservation Incentives.** This includes an amendment to incentivize private sector developers to rehabilitate contributing properties in historic districts. *The practice of developers buying properties before they are marketed, renovating them and then putting them back on the market for much higher prices should not be incentivized.* At the same time, sometimes private incentives are necessary to rehabilitate highly distressed properties. To accomplish preservation and affordability goals, this amendment should be altered to *incentivize private initiatives that support the rehabilitation of historic properties, particularly those in serious disrepair, and at the same time, maintain housing affordability.*

V. Urban Design Element

The Urban Design Element broadly expresses equity challenges for the District. In general, the amendments marginalize the importance of the District's historic planning documents and principles as impediments to the type of growth favored by the Office of Planning. The objective of achieving equity through urban design must include a commitment to preserving the historic character of the city. These goals are not mutually exclusive. In the introductory text some important statements at **900.4 and 900.5** have been deleted but should be maintained as expressions of equity challenges. The goal statement amendments miss the mark by diminishing the importance of the District's historic design legacy and the uniqueness of each of the city's neighborhoods. These amendments preview the subsequent amendments that weaken protections for these important values.

Specific Language Changes/Additions

- **Paragraph 901.1.** The goal statement includes amendments that delete "protecting" the city's historic design legacy and substitute "reinforcing" that legacy which is vague and open to interpretation. The city plan should be clear that DC is an historic city, the most important historic city in the nation, and that the intention is to protect its design legacy. Similarly, reinforcing the diversity of neighborhoods, which the Committee of 100 supports, has little to do with design and the current language "protecting and reinforcing" the identity of each neighborhood should be restored.

Shaping A Shared Civic Identify

This section begins with the inaccurate statement, also found in the Historic Preservation Element, that the District's iconic horizontal skyline is based only on the natural topography and not on an intentional decision to match building heights with topography to create a uniform skyline. The amendments incorrectly state that buildings "punctuate" the horizontal skyline and this statement should be rejected. The text that describes the evolution of the city's character has largely been struck and replaced with amended language. The text on the influence of the Height Act and the L'Enfant Plan are more informative than what replaces them and these deletions should be reinstated.

Wherever the amendments strike text that explains equity challenges, these important descriptions must be maintained. *The District should accompany its determination to create equity throughout the city with admissions of where we failed and what contributed to those failures.* Thus, the text of **902.5** should be reinstated.

The amendments in the Urban Design Element propose to depart from the District's historic planning. In a section retitled from **Protecting the Integrity to Building on the Integrity of Washington's Historic Plans**, the Office of Planning inserts new text calling for greater density and taller structures "across and beyond the monumental core of the city." This is

apparently the design approach that the amendments will facilitate throughout this element. This approach is totally inconsistent with a hundred years of planning that has created renown and prosperity for the District. *The new text should be rejected and replaced with a statement that the challenge is to use historic planning principles to create a truly equitable city.*

The amendments to important policies on the topographical bowl, the ridgeline and view protection remove protections in some instances and limit protections in others. The goal of preserving the natural attributes of the District's geography that inspired its development scheme is being compromised to allow more development. The Council should carefully evaluate if there is a need to focus development in the most protected parts of the city. No doubt the views from these protected locations could enhance development scenarios and reap high housing prices, but at what cost?

The text that precedes policies on waterfront design is ripe for a discussion of equity. The Anacostia River borders the most segregated neighborhoods in the District, which have the most unemployed residents and the lowest income residents. New developments near Yards Park and the Wharf are among the most exclusive and expensive housing in the city. While these developments connect to the water, most of the existing neighborhoods do not. In addition, these areas have documented flood risks that should influence policies focusing on restoring wetlands, native habitats, and non-structural land uses as alternatives to development that could put people at risk. Identifying opportunities for natural shorelines should precede development planning.

The text on the L'Enfant design for the city that includes broad diagonal avenues connecting to the grid of local streets intersects with a discussion of equity. Some avenues are beautiful with thriving retail and distinctive office buildings, gracious homes or elegant apartment buildings, while other avenues in less prosperous neighborhoods lack the same aesthetic quality. *The amendments lessen protections for significant views, which may particularly threaten the protection of these views in areas where new development is likely.*

The section on **Overcoming Physical Barriers** has been entirely deleted. That text and policies guide how we can reconnect the city and particularly mitigate unhealthy barriers that prevent thousands of residents from living in environments where they can have better access to jobs and amenities and not suffer from poor air quality and other environmental hazards. This section from **907.1- 907.6** should be maintained.

Recommendations

- **Restore much of the current Urban Design Element text and policies that have been deleted. There are important discussions of equity in the deleted text that are as important today as they were in 2006.**
- **Retain the essential policies on protecting the views to and from the topographical bowl and an accurate definition of the horizontal skyline.**
- **Ensure that policies on waterfront development preserve the river for everyone, maintain views and create connectivity for current residents.**

Specific Language Changes/Additions

- **Paragraph 902.1.** The deleted sentence that compares the District’s intentional building maximums to its neighbors’ practice of building taller buildings should be maintained as illustrative of the District’s commitment to avoid pressures to develop signature buildings that are not compatible with the planned restrained form in the District.
- **Policy UD-1.1.1 Reinforcing the L’Enfant and McMillan Plans.** The amendments include restoring obstructed views and vistas. An additional amendment should state that historic views and vistas must be protected. The plan should state that obstructed views will not be created and existing views will be protected.
- **Action UD-1.1.D: City-Wide Urban Design Vision.** This is new and includes a statement about elevating design of new buildings while “conserving essential elements of our city’s traditional physical character.” Conserving means do no harm.. A stronger statement would be to “preserve” the historic character of the city
- **Policy UD-1.2.2: Protecting the Topographic Bowl.** This is unchanged when it should be amended to name more locations for preservation.
- **Policy UD-1.2.3: Ridgeline Protection.** This policy has been amended from “protect” the ridgelines to “maintain” the views to the ridgelines from the monumental core. This would allow building on the ridgeline. Another amendment encourages the construction of civic buildings and deletes the original intent of this policy to maintain and enhance the horizontal skyline. The amendments to this policy appear to follow the incorrect statement in the introduction that buildings “puncture” the horizontal skyline. These policy changes would facilitate that outcome.
- **Action UD-1.2.B: Creating View Plane Regulations.** This action has been amended to delete guidance that zoning regulations should be a tool to protect desirable views. It makes little sense to create diagrams and design preferences if the zoning bodies will ignore them.
- **Waterfront Future Land Use Areas with Flood Risk map (Figure 9.9** from earlier drafts) was removed from the April 2020 submission to the D.C. Council. It shows the degree and extent of flood risk to land use areas. This is critical information and the map should be included in the Council legislation.
- **Policy UD-1.3.2: Waterfront Public Space.** Restore “and Access” to the title. The amendment encourages density and a mix of uses to enliven the waterfront and appears to be a prescription to create another Wharf project. *It is essential that the Anacostia River that borders Wards 7 and 8 be improved and enhanced with structural and non-structural elements that are primarily planned for the existing residents and not as a means to attract new residents who will flock to expensive and amenity-rich new housing with expensive restaurants and retail.* This policy should be rewritten from an equity perspective.
- **Policy UD-1.3.5: River View.** *The amendments delete a very important guideline for development along the waterfront: that it be human scale with a pedestrian orientation and protected open views.* The wall of buildings on Maine Avenue at the Wharf that effectively removed views into the waterfront and cast Maine Avenue in shadow should not be repeated at any other waterfront location. Restore the deleted language.
- **Action UD-1.4.C: Waterfront Barriers.** Add an amendment to implement removal of physical and visual barriers once studied options have revealed preferred alternatives.

- **Action UD-1.3.B: Natural Shorelines.** Include an amendment that opportunities to convert waterfront areas to natural shoreline will precede development planning that could compromise implementation of natural shorelines.

Designing the Livable City

This section departs from past guidance on how to maintain and grow District neighborhoods. The amendments are premised on continuing significant population growth, an issue discussed in the Land Use Element above. The population stopped growing from immigration in 2017 and the OCFO forecasts show that trend continuing. The effect of the pandemic has caused a more rapid decline in population and projected long-term effects from COVID-19 on urban areas, like the District, do not suggest a return to the population growth experienced in 2012 - 2013. Thus, Council should carefully review the amendments in this section and reject them if they recommend reversing long standing principles based on large numbers of new residents. They should also be reviewed for how they would address equity issues and affordability.

A feature of District neighborhoods is a concentration of a type of housing in one neighborhood and a concentration of a different type of housing in another neighborhood. For example, 50% of the homes on Capitol Hill are rowhouses; in the Waterfront/Navy Yard area and in Rock Creek West over 50% of the housing units are in 20+ unit buildings; in Ward 8 the ratio of detached homes to large apartment buildings is low; and, in Ward 7 the percentage of large apartment buildings is also low. Citywide the distribution favors large apartment buildings, which are 35% of the total housing followed by rowhouses, detached houses and moderate-sized apartment buildings that comprise 10-12% of the total housing. It is evident that the District needs more family housing and more affordable housing. Only detached and attached housing is predictably family housing. Despite this need, *District leaders have incentivized the production of large apartment buildings with small units in Central Washington and its surrounding neighborhoods and on the Waterfront. There has been almost no new production of other types of housing between 2000-2017.*

Affordability of housing is a different issue since no housing type is guaranteed to be affordable. Indeed, most of the new apartment building housing is unaffordable to the households most housing burdened. Unless there are laws and regulations to control housing prices, the market will establish the cost as high as it can. The Council should consider greater set-asides of affordable housing through the Inclusionary Zoning program, more public investment in affordable housing production, and less funding of special tax treatments for market rate large apartment buildings with small units.

There is text in this section that describes appropriate infill development in neighborhoods. Some paragraphs that discuss scale and compatibility have been deleted and should be maintained. The approach that the Office of Planning appears to be taking throughout the amendments is to dismiss consideration of scale, height, and compatibility as standards to use in evaluating the impact and appropriateness of development. These are long-standing principles that have guided planning and approval of projects and have been emphasized as planning policies in the Comprehensive Plan. The amendments seek to replace

these neighborhood-sensitive policies with language that would either no longer enforce these principles or would remove them as considerations in zoning or project reviews.

The Office of Planning has substituted language calling for good architecture to overcome the stark effects of the major density increases it is advocating. It is also suggesting that decisions about appropriate height and scale reference a larger area than the properties immediately effected and that building should be permitted in front yards when it will benefit the “public life of the street.”

As evidence of the thoroughness of the amendments to change current building pattern policies, there is new language to permit density increases on large lots in residential neighborhoods including, it seems, in historic districts. Even parks and open spaces would not be unaffected by the amendments promoting development. Prohibitions against loss of sunlight and any reduction in the usability of parks and plazas resulting from development have been replaced with language to minimize the loss of sunlight and an affirmative statement that development should maximize park usage.

Recommendations

- **Restore policies ensuring that traditional principles of compatible height and scale will guide appropriate development.**
- **Insert realistic and data-driven population forecasting.**
- **Reject the notion that missing housing types in a planning area are key to affordability issues. The amendments would lead to significant large apartment buildings in Wards 7 and 8 where that is the only “missing” housing. This pattern of development in other parts of the city has led to gentrification and displacement.**
- **Consider new amendments to require affordability beyond Inclusionary Zoning, a program which should also be reformed to capture more affordable units. *Saying that development will result in affordability is disingenuous without policies that mandate that outcome.***

Specific Language Changes/Additions

- **910.19 to 910.23. The policies guiding design for the range of parking structures and locations have been deleted.** Since parking is still a requirement for many uses, this seems to mean that the Comprehensive Plan will no longer provide design guidance for surface or structured parking. The Council should carefully consider if this is a prudent omission or if it wants to reinstate the policies.
 - **Policy UD-2.2.1: Neighborhood Character Identity.** Restore the current language. This section has been amended to delete consideration of scale. The amendments use this policy to promote architectural design with no reference to scale or context sensitivity.
 - **Action UD- 2.2.C Conservation Districts.** Language to explore the benefit of creating conservation districts in older neighborhoods has been deleted and should be restored as there is growing interest in them throughout the District.

- **Policy UD-2.2.6: Maintaining Façade Lines.** Retain the existing language. This section has been amended, moved and retitled as **UD-4.2.3 Continuity and Consistency of Building Frontages**. The current policy was the basis for zoning regulations that require new residential construction to honor the prevailing front yard setback. This policy and the ensuing zoning regulations prevent additions or new construction from creating awkward and disconcerting structures in open front yards that are promoted throughout the Comprehensive Plan for providing storm water retention and a pleasing aesthetic. The amendment deletes language to avoid violating the established pattern unless the streetscape is already characterized by such patterns. The replacement language would permit construction extending beyond the existing façade line if “it significantly benefits the public life of the street.” An argument could be made that almost any structure close to a street can make the street more interesting. The intent of the policy however is not to enliven the street, but to maintain a uniform and pleasing aesthetic. The proposed condition is too vague whereas the current language is clear and predictable.

- **910.3. Restore the deleted paragraphs.** A new paragraph promotes infill with contrasts in height and scale which conflicts with the deleted comments at the end of this paragraph and **910.4-910-5**. It has long been Comprehensive Plan policy -- as found in the Land Use Element, Housing Element, and Historic Preservation Element -- to recommend infill that is compatible in scale and height with existing neighborhoods. *The plan has numerous policies, many of which the Office of Planning seeks to eliminate, that discourage contrasts in height and scale.* No reason has been offered in the amendments why these policies should change.

- **Policy UD-2.2.7: Infill Development.** The current language should be retained which states that “regardless of neighborhood identity, avoid overpowering contrasts of scale, height, and density, as infill development occurs.” The amendment introduces spatial and visual qualities of the surrounding neighborhood, particularly roof lines and setbacks, as features that new development should respond to and complement. This is a vague and unpredictable policy that would replace language that is more comprehensive.

- **Policy UD-2.2.8: Large Site Development.** Reject the amendments and retain the existing language. The current title of this policy provides the right context and it should be retained. The amendments: Change the title to **Large Scale Development** which has a different meaning and reach even though this policy refers to neighborhood lots. Amendments weaken the policy by deleting “ensure” and substituting “should be integrated” in guiding how new development complements adjacent site. Add language that design of redeveloped large sites should incorporate historic buildings and landscapes. For those sites that were planned “as integrated complexes of multiple buildings,” future design should incorporate that pattern where possible. This appears to be a reference to historic districts although the language seems purposefully vague. *They suggest that large neighborhood lots will have large scale development when Comprehensive Plan policies state the opposite and introduce awkward and non-transparent language about historic buildings and historic groupings of buildings that would seem to apply to historic districts.* If there is to be a policy change, this should be clearly stated in the Historic Preservation Element.

- **Policy UD-2.2.9: Protection of Neighborhood Open Space.** Restore the current language. The current policy has been amended to retitle this as **Preserve Neighborhood Open Space**, weakening a clear policy on protecting parks. Additional amendments delete “ensure” that

infill development respects and improves neighborhood public spaces and substitute “should respect and improve.” Designing new buildings “to avoid loss of sunlight” is amended to “minimize loss of sunlight.” Language changes from “to avoid reduced usability of neighborhood parks and plazas” to “maximize the use of these assets.” Open skies, sunlight, and human scale development is a long-standing principle of our planned city. Indeed, the Office of Zoning has a website feature that shows shadow effects on buildings at different times of day.

- **Policy UD-2.2.10 Planning for Large Sites, and Action UD-2.2.E.** Two policies have been added at the end of the section on **Designing for Successful Neighborhoods** that are misplaced. They should be moved to a restored section on **The Design of New Neighborhoods**, which is found at **911**. This section also includes an important introductory paragraph that has been deleted but should be retained.
- **Policy UD-2.2.11 Resilient and Sustainable Large Site Development, and Action UD-2.2.D.** These should be moved to **Section 1.3**, which addresses flooding issues.
- **Policy UD-2.3 Large Sites.** This entire section has been deleted and it should be retained, including paragraphs **911.1 – 911.8 and Action UD-2.3.A**. Design guidance for large sites is essential. Text and policies on Play should be consolidated into a different section.

The amendments in **Designing a Livable City** are another example of the Office of Planning’s comprehensive attempt to remove any impediment in the Comprehensive Plan to unfettered development.

Play Everywhere

This new section offers many new approaches to incorporating active play into spaces that include multiple uses or have been designated for passive recreation use. The Council should carefully assess the new policies for safety, practicality, and preference for one use over another.

The Equitable City

This is a very important section that downplays past inequality. In fact, many policies and decisions have led to massive displacement of Black households, loss of affordable housing, and stark economic divisions. *The Urban Design Element should guide how public housing, temporary housing for the homeless, and Housing Production Trust Fund-financed low-income housing projects can be integrated into communities through high quality sustainable building design and context-sensitive site planning.* This section would benefit from illustrating how those policies and others focusing on affordable housing of all types and densities can complement a neighborhood. This section cries out for a policy and action that ensure future development will be planned with all the elements that contribute to good neighborhoods. *While the policy amendments on public realm inclusiveness are good, there should also be policies that guide private development projects.*

Fostering a Vibrant Public Life

This section includes amendments in the introductory text that state that transportation demands, which we assume include buses and parking, can make sidewalk cafes and outdoor retail less enjoyable. To accommodate a diverse local business environment and the ability of all people regardless of health or age to enjoy the city, it is important to balance restrictions on curbside uses that may penalize groups of users in favor of increasing the comfort of other users.

Figure 9.3, the map that identifies where farmers' markets are located by ward is confusing. It states the proportion of outside markets, but an examination of the map shows that Wards 2 and 6 have the most markets, Ward 4 has the fewest and there is parity in all other wards. It is not clear what point the Office of Planning is trying to make and how it should influence Comprehensive Plan policies.

This section should include a policy that ensures universal WiFi throughout the city. The amendments show the dearth of sidewalk cafes in Wards 7 and 8. A contributing factor may be the absence of reliable internet connections.

Paragraphs **913.2 – 913.20** have been almost entirely deleted even though they provide important text and polices, some of which relate directly to equity, including streetscape maintenance, and the relationship of density, traffic volumes, large numbers of children, seniors, or disabled people to a greater need for streetscape improvements. Retain the struck paragraphs.

Crime prevention and security initiatives occupy many policies in the current Urban Design Element. The amendments delete many of them. The focus of the amendments is fostering gathering, both in private development and in public spaces. Based on the District's experience with the COVID-19 pandemic, some of these amendments should be assessed by the Council for safety and practicality. Retention of the deleted text and policies on security seems prudent and realistic.

Specific Language Changes/Additions

- **Policy UD-3.1.2: Security Features in Public Space.** While this policy guides how essential barriers should be managed, there is no guidance on the placement or accommodation of bike racks, scooter racks, and other transportation storage on sidewalks. This policy should ensure that these installations will not form a barrier between the sidewalk and curb space and that they will not interfere with the ability of children, seniors and disabled persons to safely use public space.
- **Action UD-3.1.1: Digital DC Public Realm Initiative.** This new amendment encourages a pilot project to test a multiplicity of ideas about connecting people to information. It is supportable if it is premised on universal connectivity. If the pilot program would not reach all residents throughout the District, then that issue must be addressed before this action is implemented.

Designing Architecture for People

At least one amendment in this section repeats policies added to another section of this element. There are several other amendments that are unclear: Do they apply only to commercial design or extend to residential design? The Council should clarify the intent in evaluating these new policies.

In presenting significant features of the District's long design legacy, an amendment in the form of a new policy states that the Height Act should continue to link maximum building heights to street widths, but then encourages looking for opportunities to exceed zoning regulated maximum heights to encourage "better site massing and architectural design." This policy change would lead to new zoning regulations that would ignore height limits under certain circumstances. The result would be the loss of the horizontality of zone districts and the loss of predictable building height maximums on which residents rely.

*If the Council approves **Policy UD-4.3.1: Recognize the Legacy of the Height Act**, it will be transferring its authority to set density limits per the Framework Element and the Future Land Use Map to the Zoning Commission whenever that body is convinced that site planning and architecture require this flexibility. The C100 strongly opposes this amendment and urges the Council to reject it.*

The last amendment in the Urban Design Element proposes an action to identify streets where the width would permit building heights in excess of zoning regulation height maximums. The intent is to maximize the Height Act provisions and the rationale is to provide affordable housing and promote inclusiveness. It's important to note that *there are no policies in the Urban Design Element to expand affordable housing. The housing policies in the Housing Element promote market rate housing production with the minimal requirement that 8-10% of the space be set aside for affordable units.* Exceeding zoning limits which are in place to ensure light, air, privacy, and human scale development where most residents live will make housing more expensive housing and add few additional affordable units.

Recommendations

- **Reiterate a commitment to the human scale aesthetic of the District.**
- **Do not approve density increases based on the Height Act maximum height allowance. Reject unsupported notions that building higher will solve the affordability crisis when the data shows the opposite result unless there are stringent affordability requirements.**
- **Preserve densities that create housing opportunities for residents at all stages of life.**
- **Clearly and emphatically state new policies that promote inclusiveness by:**
 - **Ensuring more opportunities for homeownership and family wealth building throughout the city; and**

- **Public investment in new low-income housing distinguished by great site planning and architecture that creates or enhances stable and amenity-rich neighborhoods.**

Specific Language Changes/Additions

- **Policy UD-4.2.3: Continuity and Consistency of Building Frontages.** This policy repeats the amendment **UD-2.2.6**. Based on sequencing, it appears that the amendment in this section applies to mixed-use development, but it is unclear. Since there are no front yards in mixed-use development, allowing a deviation from the predominate frontage line may be supportable if it benefits the public life of the street, but it must be clarified that this policy applies only to commercial frontage.
- **Policy UD-4.2.4: Creating Engaging Facades and Policy UD-4.2.5: Interesting Roof Lines.** Clarify application of the guidance. Each policy has a different impact on commercial buildings versus residential structures.
- **Action UD-4.2.F Design Guidelines.** The action should be changed to restrict the guidelines to commercial properties adjacent to residential neighborhoods. As drafted, design guidelines affecting private residential properties are inappropriate; these properties are regulated by zoning, which ensures maximum flexibility for homeowners in design preferences.

VI. Central Washington Area Element

In drafting the Comprehensive Plan amendments, the Office of Planning made the decision not to change the boundaries of the ten planning areas. Therefore, the boundaries of the Central Washington Planning Area are still what most would consider the traditional downtown. In fact, the plan describes the area as “the heart of Washington, DC” and “downtown.” K Street is described as “main street.”

Though it doesn’t change the boundaries, the amendments say that the central area is mostly built out, is understood to extend beyond the planning area boundaries, and commercial growth will occur outside the central area boundaries. Therefore, it identifies eight **Adjacent Focus Areas** (sections **1610.3** and **1610.4**) presumably to be looked at for Central Business District expansion, though the intention in identifying them and the prospective impact on the Central Washington Area are not addressed. These focus areas are in other area elements—five in the Near Northwest Area, one in the Capitol Hill Area, and two in Lower Anacostia/Near Southwest.

The 2016 zoning rewrite tripled the size of the area zoned as downtown, moving into the West End and NoMa and down into SE DC, already beyond the boundaries of the Central Washington Area.

The Land Use Element goes even further and identifies a Central Employment Area (CEA) that sprawls across the river into Anacostia. The boundaries go beyond both the 2016 zoning and even beyond the boundaries of the Central Employment Area contained in the Federal Workplace Element.

This raises at least three major questions:

- How much do we want high density commercial development encroaching on our neighborhoods?
- How attenuated can the Central Business District be before it loses its identity and drains the established downtown of vitality as tenants move to the “shiny new thing?”
- How much do we want to disrupt neighborhoods and displace residents?

Recommendations

- **Significant vision and policy questions are raised by the questions above, and until they are answered and residents of the identified area are consulted, *the policy focus area numbered 1-8 should be deleted from the plan. Alternatively, there should be some kind of requirement for resident involvement in planning for the focus areas.***
- **Amplify the text to adequately address the infrastructure needed to support projected growth. For example, commuter rail has been too long ignored in DC plans (Comprehensive Plan and Move DC) and has significant potential to alleviate commuting issues.**
- **Update and restore several very relevant deleted sections that provide data fundamental to addressing commuter congestion in the Central Washington area.**

Specific Language Changes

- **Restore meaningful verbs.** In a number of places, words have been changed to inappropriately diminish the direction given, e.g., “must” changed to “should”; “protect” changed to “buffer”; and “require” or “ensure” changed to “encourage.” *In some cases, DC is in a position to require or ensure the right outcome and should state what it must be, not just “encourage” or “prioritize” it.*

- **Section 1614.13** has been changed to say that parking management programs should *buffer* residential areas from spillover parking associated with the Convention Center and other downtown developments. [emphasis added] But these areas don’t want just a buffer; they want protection. Restore “protect” (original language).

- **Section 1618.11** discusses scale transitions and other actions that would avoid having NoMa intrude on adjacent residential neighborhoods in Eckington and Capitol Hill. The heading has been changed from “**Protecting Neighborhoods Abutting NoMa**” to “**Preserving Neighborhoods Abutting NoMa.**” While in many instances, “preserve” can be a substitute for “protect,” it does not work when the idea is to “protect from” as in the parking issue above. Since the purpose is to protect the neighborhoods from intrusions, not to preserve the neighborhoods, the original language “Protecting” should be restored.

In some situations where the city should be responsible for making things happen, the language should do more than “encourage” the desired outcomes or simply suggest that these things “should” happen.

- **Section 1608.19** has been changed since the 2019 draft and the original language: “Requiring adequate off-street or below-grade loading and service parking areas” has been changed to “Encouraging.” In fact, the city should be requiring this outcome and is in a position to do so. Restore “Requiring” (original language).
- Similarly, **Section 1615.4** states that “The District should “encourage” place-based design goals Who are they going to “encourage”? This should be changed to “The District should develop and implement place-based design goals...”
- **Section 1609.2** on the preservation of historic resources changes “Requiring that renovation and new construction is sensitive to the character of historic buildings and districts;” to “Encouraging renovation and new construction to be sensitive to the character of historic buildings and districts.” The original language should be restored.
- **Section 1609.4** on recreation for downtown residents and workers, changes “ensure” to “should,” significantly weakening the intention and directive. Restore the original wording.
- **Section 1618.14** articulates new policy on Union Station expansion and air rights development. The 2019 draft amendment said: “Ensure that future expansion and air rights development projects appropriately respond to surrounding land use and design programs and plans, including those for Downtown East, Capitol Hill, and NoMa neighborhoods.” The current amendment says: “Future expansion and air rights development projects should respond appropriately to ...” making it sound like these projects have the option to respond inappropriately. DC is in a position to make sure the right thing happens and the “ensure” version should be used.

“Prioritize” is used similarly as a weak directive when the District is in a position to make it a priority. Who is being directed to prioritize? These should be stated as an actual action or goal.

- **Section 1614.14** is an action item to create an iconic neighborhood park for Mount Vernon Triangle, but the action is to “prioritize” using Cobb Park for this purpose or find another site if that won’t work. What does it mean to “prioritize” the action? State it as an action: Use Cobb Park . . .

Most egregiously, the systematic replacement of “consistent” (and “inconsistent”) with “compatible” (and “incompatible”) completely changes the meaning in some cases. Consistent means “in accordance with;” compatible means “to get along with.” While they are similar in meaning, they are not interchangeable. “Consistent” is a stronger standard.

- **Section 1608.31** regarding public space regulations has been changed to “Simplify public space regulations for downtown to avoid duplicative or incompatible standards ...” Incompatible with what? Surely, the objective is to avoid “inconsistent standards” and the original language should be restored.
- **Section 1612.12** involves streetscape improvements in the Gallery Place/Penn Quarter area. It says they “should be compatible with the PADC Plan for this area.” These improvements should be more than “compatible;” they should be “consistent” with the plan. The original language should be restored.
- **Section 1617.18** is an action item to “coordinate with NCPD to identify infrastructure “compatible” with local and federal planning goals for the area.” Infrastructure must be more than just “compatible” with plans and, therefore, the original “consistent” should be restored.
- The **section on Capital Improvements** (formerly 1608.22) committing investment to “improve the quality of Central Washington’s environment, stimulate private investment, accommodate projected growth...” should be restored.
- **Section 1608.27** should be a commitment to invest in capital improvements to address identified flooding risks.
- **Sections 1605.1, 1605.2, 1605.3 and 1605.4.** The information in these sections should be updated in order to determine which steps should be planned to best address the issue.
- **Section 1608.15.** In addition, “commuter rail” should be added to the policy on reducing single-occupancy trips in Central Washington, and given increased attention in this element and in others.

VII. Planning and Development Priorities—Ten Area Elements

The **Planning and Development Priorities** sections for each of the area elements were developed with extensive citizen consultation and reflect what the residents of the area consider important. These sections were universally deleted in the original version of the amendments. Commenters asked to have them restored, noting that while some things have changed or been accomplished, many of the community priorities are still relevant and establish the context, the direction and the priorities the community wants to take.

In restoring them, however, *a new introduction was added that dismisses their continuing relevance in each area element:*

This section summarizes the opportunities and challenges residents and stakeholders prioritized during the 2006 Comprehensive Plan revision. During large community workshops, residents shared their feedback on District-wide and neighborhood specific issues. *Since the 2006 community workshops, however, some of the challenges and opportunities facing the community have evolved. The following summary does not reflect new community priorities or feedback from either amendment cycle but summarizes the most important issues during the 2006 Comprehensive Plan revision.* [emphasis added]

Recommendations

- **Rather than dismiss the 2006 Planning and Development Priorities as now dated and irrelevant, reword the last sentence to read:**

“This section summarizes the opportunities and challenges residents and stakeholders prioritized during the 2006 Comprehensive Plan revision. During large community workshops, residents shared their feedback on District-wide and neighborhood specific issues. Since the 2006 community workshops, some things have changed or been completed, but most of what was expressed by the community continues to be relevant.”

- **Some amendment changes within the Planning and Development Priorities sections are updates of completed projects. However, many of the edits distort what the community was saying and change statements to suggestions. Delete those amendments and restore the original wording.**
