

Council of the District of Columbia Report

District Building

14th and E Streets, N.W.

Washington, D.C. 20004

724-8000

To: Members of the Council of the District of Columbia
From: David A. Clarke, Chairman, Committee of the Whole
Date: October 3, 1989
Subject: Bill 8-2, District of Columbia Comprehensive Plan
Amendments Act of 1989

The Committee of the Whole, to which Bill 8-2, District of Columbia Comprehensive Plan Amendments Act of 1989, was referred, reports favorably on the bill as amended and recommends its adoption by the Council of the District of Columbia.

Statement of Purpose and Effect

Bill 8-2 amends the Land Use Element of the Comprehensive Plan, including map amendments that resulted from the ward planning process, and requires the preparation of updated ward plans based upon these amendments and upon the public hearing record on this legislation.

Bill 8-2 also provides several new mechanisms for facilitating implementation of the Comprehensive Plan and for ensuring community input in this process, including clarified emphasis of the home rule charter requirement that zoning shall not be inconsistent with the Comprehensive Plan, and codification of existing large tract review procedures to assure that issuances of building permits are not inconsistent with the Land Use Element of the Comprehensive Plan. Further requirements include: periodic submission by the Mayor of proposed amendments to the Comprehensive Plan; more detailed biennial progress reports, including a listing and schedule of the implementation actions not yet completed; public hearings by the executive branch and review and approval by the Registrar's branch of revised ward plans and small area action plans; and changes in the design and format of the generalized land use maps, including the inclusion of a street grid, to improve the readability and understanding of the adopted policies.

In addition, 8-2 amends the General Provisions, Economic Development, Housing, Environmental Protection, Transportation, Public Facilities, Urban Design, Preservation and Historic Features, and Human Services Elements adopted by the District of Columbia Comprehensive Plan Act of 1984.

ZONING COMMISSION

CASE No. 04-36

EXHIBIT No. 120
District of Columbia
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EXHIBIT NO. 120

Impact on Existing Law

The enactment of of Bill 8-2 represents the first opportunity in nearly 5 years for the Council to consider amendments to the existing 11 District elements of the Comprehensive Plan, which establishes broad policies to guide public decisions in the District of Columbia.

When the Council approved the Land Use Element of the Comprehensive Plan in 1984, the Council required the Mayor to develop ward plans and to transmit those plans to the Council with a proposed amendment to the Comprehensive Plan setting forth "objectives and policies for ward plans." This requirement was designed to accomplish two purposes: 1) to provide a mechanism that would establish the relationship between the ward plans that would be developed and the enacted Comprehensive Plan; and, more importantly, 2) to "open the door" of the entire Comprehensive Plan for public review and Council amendment, because, as in the budget process, only the Mayor can initiate the planning process. The Mayor finally transmitted the required ward plans along with a proposed amendment to the Comprehensive Plan in June of 1988, and this amendment in the nature of a substitute includes many of the text and map amendments to the Comprehensive Plan that have resulted from the ward planning process.

The substitute legislation enacts over 100 changes to the previously enacted land use maps -- changes resulting largely from recommendations culled from the Council's public hearings and comment record on Bill 8-2. A listing of the specific map changes in each ward is provided elsewhere in this Report. The map amendments include substantive policy changes in boundaries, density levels, and designated land use categories in certain locations, as well as mapping corrections.

The substitute legislation also responds to public testimony that a street grid should be added to the land use maps along with other design changes to facilitate readability and understanding of the adopted land use policies. However, the Committee emphasizes that the inclusion of a street grid does not change the required interpretation that the land use policies on the maps are generalized policies that reflect predominant uses in an area.

The text amendments in the substitute legislation include important changes to the General Provisions Element to increase community input in the Comprehensive Plan implementation process. Language is added to clarify and emphasize the home rule charter requirement that zoning shall not be inconsistent with the Comprehensive Plan, and to strengthen conformity of other District government actions regarding land use, including the issuance of building permits that are subject to large tract review procedures, with the land use element of the Comprehensive Plan.

More detailed biennial progress reports by the executive branch are required, including a listing and schedule of the Comprehensive Plan implementation actions that have yet to be completed. Also, the substitute legislation provides a new requirement upon the Mayor to submit periodic amendments to the Comprehensive Plan, so that there is an ongoing opportunity for public and Council review of the policies that ought to be included within the Comprehensive Plan.

In addition, the substitute legislation would adopt dozens of changes to the text of the Comprehensive Plan that address other concerns raised in the