Comprehensive Plan Provisions Applicable to the Field School Application before the Board of Zoning Adjustment

I. Land Use element

A. §1100.2 (Major Policies)

B. §1100.11 (Major Policies)

C. §1102.1 (Objectives for Residential Neighborhoods)

D. §1103.1 (Low density residential land use category)

E. §1104.1(i) (Policies in Support of Residential Neighborhood Objectives)

F. §1104.1(k) (Policies in Support of Residential Neighborhood Objectives)

II. Ward 3 Plan element

A. §1402.1(h) (Ward 3 housing)

B. §1403.5(a)(3) (Improving air quality objectives and policies)

C. §1403.5(d) (Improving air quality objectives and policies)

D. §1403.7(a) (Protecting the quality of land areas objectives and policies)

E. §1403.7(b) (Protecting the quality of land areas objectives and policies)

F. §1404.3(d) (General objectives and policies for transportation)

G. §1404.3(i) (General objectives and policies for transportation)

H. §1406.5(a)(5) (Objectives and policies for the natural environment, areas with severe building constraints and streams and stream valleys)

I. §1406.9 (Objectives and policies for areas of strong architectural character and areas of stable character)

J. §1409.1(a) Ward 3 land use)

K. §1409.1(b) Ward 3 land use)

L. §1409.2 (Relation of Ward 3 to Declaration of Major Policies in the Land Use element)

BZA
CASE No. 16559
EXHIBIT No. 455

Board of Zoning Adjustment
District of Columbia
CASE NO.16559
EXHIBIT NO.455

CHAPTER 11 COMPREHENSIVE PLAN: LAND USE ELEMENT

Secs.

1100 Declaration of Major Policies
1101 Land Use Goal
1102 Objectives for Residential Neighborhoods
1103 Residential Land Use Categories
1104 Policies in Support of the Residential Neighborhood Objectives
1105 Objectives for Commercial Areas
1106 Commercial Land Use Categories
1107 Commercial Center Classifications
1108 Policies in Support of the Commercial Areas Objectives
1109 Objectives for Production and Technical Employment Areas
1110 Production and Technical Employment Land Use Category
1111 Policies in Support of the Production and Technical Employment Objectives
1112 Objectives for Public and Institutional Land Uses
1113 Public and Institutional Land Use Categories
1114 Public and Institutional Classifications
1115 Policies in Support of the Public and Institutional Land Use Objectives
1116 Objective for Specialized Planning Areas
1117 Specialized Planning Area Land Use Category
1118 Specialized Planning Area Classifications
1119 Policies in Support of the Specialized Planning Areas Objective
1120 Lower 16th Street, N.W. Special Treatment Area
1121 Northeast Number 1 and Eckington Yards Special Treatment Area
1122 Fort Totten Metrorail Station Special Treatment Area
1123 Deanwood Metrorail Station Special Treatment Area
1124 Saint Elizabeths Hospital Special Treatment Area
1125 District of Columbia Village Special Treatment Area
1126 Chinatown Special Treatment Area
1127 Reed-Cooke Special Treatment Area
1128 Minnesota-Benning Special Treatment Area
1129 Tenleytown Metrorail Station Special Treatment Area
1130 Uptown Arts Special Treatment Area
1131 Dupont Circle Special Treatment Area
1132 Objective for the Downtown Arts District
1133 Policies in Support of the Downtown Arts District Objective
1134 Objectives for Metrorail Station Area Development
1135 Metrorail Classifications
1136 Policies in Support of the Metrorail Station Area Development Objectives
1137 Public Action Objectives
1138 Policies in Support of the Public Action Objectives
1139 Generalized Land Use Map (Map 1)
1140 Generalized Land Use Policies Map (Map 2)
1141 Council Approval of Maps

1100 DECLARATION OF MAJOR POLICIES

1100.1 The District is one of the nation's oldest and grandest planned urban centers.

(a) From the L'Enfant Plan's vision of establishing a grand capital in what was mostly farmland and forest in 1791, through the major planning efforts of the 19th and early 20th centuries up to the present, the District's land has served the same essential purposes:

(1) Supporting the needs and living patterns of the people; and

(2) Serving as the seat of our federal government.

(b) The Plan provides that this foundation, the District's grand design, must be protected as one (1) of the country's most precious assets; and

(c) The Land Use Element challenge is to accommodate change necessary to enhance the vitality and livability of the District, while protecting and conserving its unique heritage and physical beauty.

1100.2 District neighborhoods are the cornerstones of the District's social and physical environments:

(a) Land use policies must ensure that all neighborhoods have adequate access to commercial services within the District and sufficient housing opportunities to accommodate a range of needs. These policies must also ensure that the historic, cultural, and design qualities that make neighborhoods unique and desirable are maintained and enhanced. Adequate recreational opportunities and access to cultural and educational facilities are also necessary ingredients of neighborhood vitality; and

(b) The Land Use Element supports incentives for residential and commercial development east of the Anacostia River. In addition, it encourages a substantial amount of new housing, primarily in housing opportunity areas and near Metrorail stations, in order for the District to perform its critical role as the region's urban center providing the greatest density of jobs and housing. In fulfilling this role, the District relieves many of the transportation and related environmental problems of the region.

1100.3 The District's commercial land uses are classified based on their predominant functional characteristics. These classifications include local neighborhood center, multi-neighborhood center, regional center, and the Central Employment Area:

(a) Many neighborhood commercial areas are strip-zoned with little vacant land in sizeable parcels, and changes may be needed in order to provide the range of services needed by neighborhood residents;

(b) Certain outlying commercial areas will be encouraged to grow and develop as catalysts for neighborhood revitalization and economic development; and

(c) Commercial development should be managed so that traffic, inappropriate uses, noise, and pollution do not threaten neighborhood quality and stability.

1100.4 The District's current industrial-zoned land is a diminishing resource that must perform two (2) key functions:

(a) First, it must continue to provide essential jobs and services for District residents, with the understanding that every effort will be made to mitigate or eliminate adverse impacts on surrounding communities; and

(b) Second, acknowledging the limited employment opportunities offered by many of the District's industrial land users, production and technical employment centers must be established:

(1) Office support services, including those serving the federal government, communications, printing and publishing, wholesaling, transportation services, food services, and tourism support services will be promoted in these centers; and

(2) Land use and zoning changes may be required to ensure that the District's production and technical employment centers encourage growth industries and industries that have a high ratio of employees to land area occupied.

1100.5 The policy direction for the District's public and institutional land requires District agencies to prepare updated master plans for government facilities to anticipate future land needs:

(a) The District's major colleges, universities, and similar institutions will be required to prepare and update master plans;

(b) New administrative procedures centered in the Office of Planning are proposed to reduce the costs of institutional master plan review and implementation; and

(c) Joint public and private development opportunities will be encouraged in master plan areas.

1100.6 The District's waterfronts and shorelines are great natural assets which may be conserved and protected but which also represent exciting opportunities for the District's future development. The Land Use Element calls for the preparation of waterfront and shoreline plans to tap this recreational, cultural, housing, and commercial potential. It also calls for the identification of possible mechanisms by which the District can gain jurisdiction over waterfront land, most of which is in federal ownership.

1100.7 Among the specialized planning mechanisms to guide the future physical development of the District are the following:

(a) Special treatment areas are areas where uniquely tailored solutions are necessary to achieve Plan objectives. Innovative tools and programs are focused on these areas;

(b) Development opportunity areas are areas designated to accommodate the District's major growth and development needs;

(c) Housing opportunity areas are areas where the District expects and encourages a significant amount of new housing or rehabilitated housing;

(d) Master and campus planning designations are applied to the District's major colleges, universities, and other large institutional land users. Within this planning and regulatory framework, procedures will be required to ensure that adjoining neighborhoods are well protected, while recognizing the special needs and opportunities provided by these large land users. To effect the goals of this special planning mechanism, the Zoning Commission shall prepare a text amendment case to define campus plans, their purposes and parameters as a planning tools, the information standards to be met within these plans, the appropriate timeframes for mandated updates to the plans, the conditions that will trigger a necessity for amendments to campus plans, and the procedures for publication of and public access to campus plans. The text amendment case shall be properly noticed and scheduled for public hearings; and

(e) Mixed use areas that allow for different combinations of uses and intensities are defined to stimulate new housing and job opportunities and, at the same time, eliminate uses that are not appropriate in residential neighborhoods.

1100.8 Development in Metrorail station areas will be undertaken to assure orderly growth, compatible mixes of uses, appropriate densities, good pedestrian and vehicular circulation, and appropriate combinations of public and private action.

1100.9 Public actions necessary to implement the Plan's land use policies include the establishment of an advisory Interagency Planning Council to coordinate District agency land use actions and to assist in agency reviews of major development proposals. Other proposals include the development of a zoning and land use revision program, achieving greater effectiveness in code enforcement operations, updating the Plan every four (4) years, and preparing a progress report on implementation every four (4) years.

1100.10 Ward and small area plans represent the second and third tiers of the District's planning structure. The Plan is the instrument which guides the development of ward and small area plans. The second and third-tier plans are more detailed than the Plan and incorporate the broadest range of planning techniques and solutions practical to achieve the District's goals and objectives. Ward plans are incorporated into the Plan as chapters 12 to 19.

1100.11 The Land Use Element does not identify or fix every use, height, and density on every block in the District. The text and the maps construct a guiding framework within which public and private land use and zoning decisions are to be made.

1101 LAND USE GOAL

1101.1 It is the goal of the District to assure the efficient use of land resources within legal, economic, fiscal, environmental, and other public policy constraints to meet neighborhood, community; and District-wide needs, and to help foster other District goals.

1102 OBJECTIVES FOR RESIDENTIAL NEIGHBORHOODS

1102.1 The residential neighborhood objectives are as follows:

(a) To conserve and enhance the essentially satisfactory qualities of the District's many stable residential neighborhoods including those qualities that make them unique;

(b) To enhance other neighborhoods and achieve stability;

(c) To redirect public and private initiatives to neighborhoods most in need of improvement and stability;

(d) To encourage development of adequate neighborhood shopping and support services in all sections of the District;

(e) To protect residential neighborhoods from disruptive uses; and

(f) To prevent concentrations of nonresidential uses in residential neighborhoods.

1103 RESIDENTIAL LAND USE CATEGORIES

1103.1 The low density residential land use category includes single-family detached and semi-detached housing as the predominant uses.

1103.2 The moderate density residential land use category includes row houses and garden apartments as the predominant uses and may also include, as appropriate uses, low density housing.

1103.3 The medium density residential land use category includes multiple-unit housing and mid-rise apartment buildings as the predominant uses and may also include, as appropriate uses, low and moderate density housing.

1103.4 The high density residential land use category includes high-rise apartment buildings as the predominant use and may also include, as appropriate uses, low, moderate, and

medium density housing. High density residential land use areas are generally located adjacent to the Central Employment Area, major employment centers, major arterial streets, and appropriate multi-neighborhood and regional commercial centers.

1103.5 The residential land use categories are generally depicted on Map 1.

1104 POLICIES IN SUPPORT OF THE RESIDENTIAL NEIGHBORHOOD OBJECTIVES

1104.1 The policies established in support of the residential neighborhoods objectives are as follows:

(a) Promote the conservation, enhancement, and revitalization of the residential neighborhoods of the District for housing and neighborhood-related uses;

(b) Conserve and maintain the District's sound, established neighborhoods through the strict application and enforcement of housing, building, and zoning codes and the maintenance of the general level of existing residential uses, densities, and heights;

(c) Ensure a broad range of residential neighborhood options ranging from quiet, low density, park-like neighborhoods to active, high density, mixed-use urban neighborhoods;

(d) Develop neighborhood improvement programs and neighborhood land use proposals for residential areas that have deficiencies which threaten neighborhood quality, through coordinated community and government action programs and plans, systematic monitoring of neighborhood social and physical conditions, and continuing assessment of land use and regulatory actions to correct deficiencies;

(e) Provide wide-ranging assistance for neighborhoods of relatively poor quality by joint public and private action and concentrated governmental attention and resources, through measures such as grants and loans for housing purchase and rehabilitation and land use and zoning changes, and with the active involvement and cooperation of the business community, private service organizations, community development corporations, and other community organizations;

(f) Develop uniform indicators of neighborhood conditions, establish standards for neighborhood quality, and develop procedures to monitor and assess conditions and trends affecting neighborhood stability, in order to provide a timely warning with respect to conditions that need correcting and to provide information for the required Plan reviews and updates;

(g) Encourage the retention and expansion of residential uses in mixed use neighborhoods to help maintain the residential character of these areas, through modification of land use and related regulations when necessary;

(h) Develop techniques and programs to encourage the maintenance of existing housing stock and, where appropriate, the rehabilitation and new construction of detached and row housing, apartments, and accessory apartments in single-family residences, while exercising great care to avoid undermining neighborhood quality and stability;

(i) Protect residential neighborhoods from incompatible uses and activities that generate excessive traffic, noise, litter, and other damaging environmental impacts, by consulting with neighborhood organizations to promote buffering and techniques that provide for appropriate separation of uses and mitigation of cut-through problems, which may require modification of the Zoning Regulations limitations on access to certain streets, or strict enforcement of traffic, anti-littering, noise, and pollution regulations;

(j) Protect low and moderate density residential neighborhoods that are also designated for commercial uses from uses that are incompatible with residential neighborhoods, and from activities, particularly those of a commercial nature, that generate excessive traffic, late night activity, noise, litter, and other damaging environmental impacts;

(k) Control the external negative impact of new non-residential uses that are permitted in residential areas to provide sufficient parking, loading areas, pick-up and drop-off access consistent with the activity level of the non-residential uses. With respect to permitted, non-residential uses, including schools, hospitals, churches, and clinics, this policy is designed to reduce the possible adverse impact of the non-residential uses on the residential area;

(l) Upgrade deficient neighborhood and multi-neighborhood shopping and service areas, consolidating some of the strip-zone areas, and assist in the establishment of new commercial areas to ensure that all neighborhoods have ready access to a suitable range of retail goods and services within the District. (In some instances this policy will require the restructuring of existing neighborhood centers to discourage uses that adversely affect nearby residential neighborhoods and to encourage growth of those businesses which provide needed services and goods. The active participation of the business community, community development corporations, and the District government will be required.);

(m) By modifying existing parking regulations and establishing new standards for buffering, if appropriate, identify and pursue new techniques to provide adequate accessory parking to serve business establishments, especially in older neighborhood centers, thereby acknowledging the importance of sufficient

1401.7 Economic development outside the central employment area objective and policies: Ward 3 presents the opportunity for discrete, highly-focused economic activity at specific locations:

(a) Development of housing, with some retail and limited office space, at Tenleytown on the east side of Wisconsin Avenue between Albemarle and Brandywine streets;

(b) Development of housing at Friendship Heights, particularly in the extant, large parking lots (Lord & Taylor and Metro) and in the 5300 block of 43rd Street, N.W.;

(c) Chancery, institutional, and office infill development in the Connecticut and Van Ness area;

(d) Infill low density neighborhood-serving commercial at the local neighborhood centers identified in the Land Use Element;

(e) Development of single family housing at the "Miller Tract" to the west of Massachusetts Avenue near Westmoreland Circle; and

(f) Development of multi-family housing on Wisconsin and Connecticut avenues consistent with the land use designations in the Land Use Element.

1401.8 Neighborhood and multi-neighborhood retail and commercial centers objective and policies: Economic development and growth in Ward 3 can be achieved without resorting to community development corporations ("CDC"), co-venturing, and public resource leveraging called for in the Economic Development Element.

1401.9 Public action objective and policies: The Office of Planning should develop a unified streetscape plan for Ward 3, including guidelines for the type of amenities which new developments must include in order to be approved, and an enforcement plan which includes penalties adequate to promote compliance.

1402 WARD 3 HOUSING

1402.1 Preface:

(a) Ward 3's existing housing stock ranges from low density to high density. There are several large estates of historic significance; there are a number of neighborhoods almost entirely comprised of detached single-family homes; there are several neighborhoods distinguished by semi-detached homes and row houses; and there are apartment buildings of every size along the avenues. Two (2) characteristics - the prevalence of detached single-family housing and the concentration of medium and high density housing on three (3) major avenues - distinguish Ward 3 from the other wards;

(b) The overall demand for housing in Ward 3 has remained strong over the years, including times of recession. Between 1970 and 1980, and again between 1980 and 1990, the number of occupied housing units increased in Ward 3 - in both decades going against the city-wide trend toward a net loss of units. This growth in Ward 3 has resulted from the relative safety in terms of crime, an acceptable balance between population size and accessible, neighborhood-serving goods and services, public schools that operate well with strong parental support, and from the general stability of the ward's neighborhoods in spite of sometimes intense pressure for redevelopment;

(c) The ward's housing supply is in generally good condition, in large part a reflection of economic demand. Sales and rental prices are among the highest in the city, and the ward continues to be an attractive residential choice for a relatively affluent population. These two (2) characteristics - stability and affluence - doubly benefit the city by significantly contributing to the tax base while requiring minimal social services;

(d) One public policy issue is the need for "affordable" housing. There is one public housing site in the ward, the one hundred sixty (160) unit Regency House for senior citizens on upper Connecticut Avenue. The relative dearth of low- and moderate-income housing in the ward is in large part attributable to development pressures. These pressures have caused the conversion of thousands of moderate-income rental stock to more upscale condominiums or, along Wisconsin and Connecticut Avenues, to office space. The conversion or replacement of older housing stock has particularly disadvantaged the elderly, low- and moderate-income renters, and young workers just entering the job market. On the other hand, the large number of conversions of rental apartments to condominium units has enabled the ward to continue providing ownership opportunities to individuals and families otherwise priced out of the housing market;

(e) To some extent Ward 3 is a victim of its own success. Its success is reflected in property assessments. As assessments escalate, those residents unable to afford the higher housing costs face displacement - particularly retired people on fixed incomes who purchased their homes long ago;

(f) Thus, the major public policy issue confronting the ward is the prevention of further displacement of residents, particularly those with low- and moderate-income, as a result of redevelopment, conversions, and escalating taxes;

(g) There is little vacant property available for development. The vacant parcels that do exist are small in size (available for what planners term "infill" development), and even in the aggregate are not suitable for significant development of new housing in the ward. However, there is underutilized land in the ward that should be the focus for the development of new housing; these areas have been designated in the Land Use Element as housing opportunity areas; and

(h) While new housing is needed, all development proposals must be evaluated to avoid adverse impacts on neighborhood stability, traffic, parking, and environmental quality.

1402.2 Relation of Ward 3 to the declaration of major policies in the Housing Element of the Comprehensive Plan:

(a) Ward 3 can meet the housing needs of many current and future residents. It is a predominantly residential ward with only about five percent (5%) of its zoned land in non-residential use. The Land Use Element designates several housing opportunity areas in the ward - reflecting the ability of the ward to provide new housing;

(b) Ward 3's housing stock is generally sound and the ward has been a leader in the city's production of new units. The ward exceeds the city-wide average in percentage of owner-occupied units. Much of the ward's housing stock is benefitting from downzonings and zoning overlays adopted between 1986 and 1994 and from historic landmark and historic district protections under the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144; D.C. Code § 5-1001 *et seq.*);

(c) The ward also provides a significant share of the city's rental housing. Tenant associations have increasingly organized to further the policy of maintaining reasonably priced rental stock;

(d) The ward's land use policies, as stated in the Land Use Element, have been developed to provide the greatest housing densities on those corridors that have the best access to transportation and shopping. Two (2) of the ward's housing opportunity areas are designated at Metrorail stations; development potential (if any) should favor housing over commercial at the ward's other three (3) Metrorail station areas; and

(e) Ward 3 must be particularly sensitive to the needs of its elderly population, which comprises seventeen percent (17%) of the ward and is proportionately the highest in the city. Housing for the elderly must be maintained and increased, especially along the major transportation and commercial corridors of Connecticut and Wisconsin Avenues.

1402.3 General housing objectives for Ward 3:

(a) In light of the history of displacement described in the preface to this section, general development pressures throughout the ward should not be promoted, but must be controlled. Existing housing should be maintained and improved for current and future residents; and

(b) Where new development is permitted or is prescribed in the Land Use Element, use such development to provide additional housing, particularly for the elderly and low-to moderate-income populations. Encourage a mix of populations within new or renovated multi-family structures, with up to twenty percent (20%) of the units set aside for low- and moderate-income residents.

1402.4 Policies in support of the general housing objectives: The District government should do the following:

(a) Work with the private sector (both owners and community groups) to identify sites and increase housing development opportunities in appropriate locations designated in the Land Use Element;

(b) Expand housing opportunities for the elderly and physically challenged, especially along the major transportation corridors and in the Friendship Heights and Tenleytown Housing Opportunity Areas;

(c) Provide zoning flexibility for the production of new housing, especially for the elderly and for low- and moderate-income households, through the following mechanisms:

(1) Permitting increased residential densities (consistent with design scale and infrastructure capacity) in exchange for incorporating low- and moderate-income or elderly housing in development projects;

(2) Considering the provision of elderly and low- and moderate-income housing, when it is a substantial portion of a project, as an important amenity in Planned Unit Developments, provided that such housing shall be on site (given the need for affordable housing in Ward 3, off-site housing shall be disfavored);

(3) Restricting major commercial development in the Friendship Heights and Tenleytown housing opportunity areas;

(4) Tying the provision of housing into commercial developments when rezoning or other zoning benefits are sought; mixed-use developments should be encouraged in commercial zone districts; and

(5) Giving zoning preference to projects that include housing near each of the ward's Metrorail stations;

(d) Use the Large Tract Review process (10 DCMR §2300) and other approval mechanisms to encourage housing;

(e) Use municipal bond financing for projects with twenty percent (20%) set asides for the elderly or low- and moderate-income residents;

(f) Do not consider hotels or other transient uses as meeting the housing objectives for Ward 3;

(g) Discourage encroachment of nonresidential uses into residential areas;

(h) Provide more stock by encouraging the inclusion of housing in local neighborhood commercial centers;

(i) Permit congregate housing while providing adequate regulation to minimize and eliminate adverse effects on surrounding residences; congregate housing is a means to meet the housing needs of the ward's student population as well as young wage earners and others desiring group living; and

(j) Require that the ward's universities and colleges provide adequate housing for - and promote its use by - their student populations.

1402.5 Public action objective and policies:

(a) Review recent regulations permitting accessory apartments in single-family dwellings to ensure the optimum balance between the purposes of lower-density residential zoning and the public policy to provide more housing opportunities;

(b) Develop an outreach program, within the Department of Housing and Community Development, to acquaint residents with existing housing assistance programs that are available in Ward 3;

(c) Revise the real property tax code to mitigate the impact of substantial tax increases on Class 1 property owners with limited or fixed income; and

(d) Revise the Planned Unit Development regulations, and treat housing, when consistent with this ward plan and when for low, moderate, or fixed-income households, as an important public amenity.

1403 WARD 3 ENVIRONMENT

1403.1 Preface:

(a) The quality of the total environment, both natural and human, reflects the interplay of a myriad of District activities and programs, and depends on the ways in which environmental protection efforts are discharged and how they relate to other District

(a) Separate combined sewers located in parklands; the combined sewer in Glover Archbold Park may be the largest in the ward; separating it - or at least removing Foundry Branch from the sewer - would have the dual benefits of reducing current burdens on the city's sewerage system and significantly improving the environmental quality of this park;

(b) Require strict controls in connection with construction to prevent soil erosion that may directly or indirectly (via storm sewers) cause sedimentation of the ward's streams; such controls could often include sedimentation ponds, which may need to be permanent:

(1) Promote an increase in plantings (particularly trees but also shrubbery), and encourage the use of permeable surfaces for parking lots, driveways, etc. to reduce storm runoff;

(2) Map the Tree & Slope Protection overlay (11 DCMR §1511) in hilly areas throughout the ward in addition to Woodland-Normanstone, particularly in areas adjacent to federal parklands; and

(3) Evaluate storm water outfalls into the ward's stream valleys; link the approval of development projects to the improvement of affected outfalls, with the objective of improving, not just maintaining, the quality of water runoff; and

(c) Identify and protect wetlands areas on private land, usually to be found proximate to the ward's stream valley parks, particularly when such land retains its original topography in significant part; not only should this be accomplished by an official survey of the ward when government resources permit, but this must be an application requirement for individual development proposals.

1403.5 Improving air quality objective and policies:

(a) The District government should do the following:

(1) Minimize unnecessary automobile idling by synchronizing traffic signals and, between midnight and 6:00 a.m., by operating most traffic signals other than on Wisconsin and Connecticut Avenues as flashing amber or red;

(2) Evaluate tour bus needs to reduce idling; facilities that attract tour buses and require discretionary governmental approvals should, when possible, be subject to conditions to mitigate excessive idling; and

(3) Encourage institutional and large corporate residents to promote public transit usage and discourage employee reliance on single-occupant vehicles; this should be a condition when possible in connection with discretionary governmental approvals;

(b) The Land Use Element is drafted in part to minimize reliance on automobiles and instead promote pedestrian transit and public transportation;

(c) Industrial-type facilities are likely to have a negative effect on the ward's air quality. The ward is not zoned for industrial use, and therefore any such use could only exist in connection with a large self-supporting institution. Any industrial-type facility, including a power generating plant, should be strictly limited to the needs of the host institution; and

(d) There must be an aggressive policy to replace trees (both public and private) and to plant additional trees. A healthy, verdant urban forest provides numerous environmental benefits, including better climate and air quality that result from the cleansing of automobile exhaust and the production of oxygen through photosynthesis.

1403.6 Solid waste management objective and policies: Residents of Ward 3 have shown strong support for the District's fledgling recycling program. Indeed, the ward has thus far offered one of the few locations in the entire city for the collection of household hazardous waste. With little effort the government could maximize recycling in this ward; at a minimum, the District should maintain its one recycling drop-off site at Guy Mason, or move it to another, more central, location.

1403.7 Protecting the quality of the land areas objective and policies:

(a) The overall environmental quality of the ward's land areas can be protected by doing the following:

(1) Requiring that any construction preserve natural features;

(2) Promoting extensive planting, especially of trees; if the plantings are a condition to a permit, then there shall be a proviso to include a reasonable requirement for landscape maintenance; and

(3) Minimizing any development adjacent or proximate to the ward's stream valley parks (e.g., Rock Creek Park and Glover Archbold Park and adjacent federally-owned tributary valleys or other parklands) that infringes on views from the park, creates erosion or sedimentation problems, adversely affects or is plausibly suspected to adversely affect flora or fauna, or that has any negative impact on the parkland.

(b) All discretionary construction approvals should be conditioned on an affirmative answer to the question: does the proposed project provide a net gain for the ward environmentally?

(c) Traffic mitigation strategies must include measures enabling pedestrian movement, such as by making crosswalks safe, well marked, and with adequate time for crossing (especially in areas with concentrated populations of the elderly);

(d) For all major projects, including Planned Unit Developments, special exceptions, and Large Tract Review projects of moderate and greater density and for major chancery expansions, the government should require traffic mitigation studies (e.g., as required for Square 1661 in Zoning Commission Orders 517, 519, and 528);

(e) The District government should require that all off-street loading for new major commercial and residential buildings utilize private space to the greatest extent possible (i.e., to avoid an impact on public space, including dedicated but unbuilt streets) and encourage the use of below-grade, through-block connectors (e.g., as at Square 1661) as an amenity for large commercial or mixed-use development projects;

(f) Public parking should be expanded through options such as the following:

(1) Public garages; or

(2) Easements with private developers for the construction of public parking in private buildings for the Glover Park and Wisconsin/Van Ness commercial districts. On-street public parking should not be diminished at any of the ward's commercial districts;

(g) The increase in off-street parking lot variances in residential zones where the lots serve nearby commercial establishments should be discouraged;

(h) The District's policy for an intermodal transportation system would be enhanced by the expansion of public parking through options such as the following:

(1) Public garages; or.

(2) Easements with private developers for the construction of public parking in private buildings, and the provision of reliable bicycle storage facilities at all of the ward's Metrorail station areas;

(i) For all major development projects, including Planned Unit Developments, special exceptions, and Large Tract Review projects of moderate and greater density (10 DCMR § 2300), and for major chancery expansions, the government should require a transportation system management ("TSM") program that shall prevent any deterioration in the level of service of affected intersections below "C" and that may, as a project amenity, improve existing levels of service at these intersections; and

(j) For all major development projects, including Planned Unit Developments, special exceptions, and Large Tract Review projects of moderate and greater density (10 DCMR § 2300), and for major chancery expansions, the government should require the provision of facilities for people choosing to bicycle to and from work and should further require one of the following:

(1) Either an employee transportation management program (for commercial projects only), to include, at a minimum, public transit incentives; or

(2) A shuttle service program for elderly or disabled groups (residential and institutional projects).

1404.4 Objectives and policies for mass transit are as follows:

(a) The District government should require public transit incentives for Planned Unit Developments, Large Tract Review projects, and any other projects of moderate or greater density in the ward. This policy is intended to dovetail with the Ward 3 plan's objective that moderate and medium density land usage is located where public transit is most accessible;

(b) The existing Metrobus routes within the ward are generally desirable. An improvement would be to expand the Connecticut Avenue "L" route service frequency to and from Chevy Chase Circle. This would eliminate the multi-modal trips which are particularly difficult for the elderly residents concentrated along this corridor. Bus service should also be improved along MacArthur Boulevard, and attention should be given to providing more buses on the "D" bus routes; and

(c) The District government should institute shuttle and minibus service, with a focus on serving the elderly population which is concentrated along the Connecticut Avenue and Cathedral Avenue corridors.

1404.5 Objectives and policies for private passenger automobiles (including alternative modes) are as follows:

(a) Improve levels of service at intersections to "C" or better;

(b) Provide secure bicycle lockers or racks at each of the ward's Metrorail stations as a means of encouraging residents to bicycle rather than drive to the stations;

(c) Provide bicycle lanes on Connecticut, Wisconsin, and Massachusetts Avenues, and on MacArthur Boulevard; and

(d) Improve bicycle access to Rock Creek Park, especially at the Calvert/Shoreham hill.

1406.5 Objective and policies for the natural environment, areas with severe building restraints, and streams and stream valleys:

(a) Areas in Ward 3 that are environmentally valuable and sensitive to urban development include the following:

(1) Fort Reno and Tenleytown: The highest point of land in the western part of the city, this area is topographically significant and therefore all building designs should be carefully considered in terms of vistas of and from this area;

(2) The Palisades: Rising above the Potomac River, the palisades are an important feature both topographically and as a largely wooded area with low density residential above the canal. Urban design should respect and perpetuate the low density, wooded character of the built area, and avoid detrimental impact on the natural parkland;

(3) Dalecarlia Reservoir grounds: A heavily wooded tract that is environmentally important because of its large land area and proximity to the Potomac River. It is unlikely to see development, which is consistent with the goals and objectives of this plan;

(4) U.S. Naval Observatory grounds: An area with much open space and some woods, which is proximate to park land (Normanstone Parkway and Dumbarton Oaks Park) is an environmentally valuable area. The Observatory is particularly vulnerable to development in the ward: nearby development creates heat which atmospherically distorts observations; and development even somewhat distant creates light pollution that artificially clouds astrometrical observation. Urban design must respect and not exacerbate these problems;

(5) Stream valleys, which include Rock Creek Park (and its tributaries) and Glover Archbold Park: Development adjacent to these parks must be low density and shall be further restricted where advisable to protect unstable soils, eliminate runoff potential, and promote a green buffer between the built environment and these natural settings. Development of border areas must avoid any adverse effect (known or plausibly suspected) on these stream valley parks, including the water quality, flora, and fauna, and should minimize any intrusion on views from these parks;

(6) Neighborhoods developed over hilly terrain or near stream valleys (such as Barnaby Woods, Forest Hills, Hawthorne, Palisades, Spring Valley, and Woodland-Normanstone): Urban design should respect and perpetuate the natural features, low density, and usually wooded character of these built areas; and

(7) The Ward 3 portions of the Fort Circle Park System, and other park land such as Whitehaven Parkway: These are environmentally valuable and sensitive areas that must be protected and enhanced through sensitive urban design; and

(b) Appropriate design solutions include the following:

(1) Limit density of development adjacent to natural areas, areas with severe building restraints, or stream valleys; maintain park-like settings on streets and lands adjacent to the natural areas and stream valleys; and require ample building set-backs;

(2) Permit design flexibility to allow the clustering or concentration of housing which, in turn, allows other areas to remain natural with no overall increase in density;

(3) Commercial use should not be introduced to areas where none is now present;

(4) For parkland, restrict on-site development; there should be very little building of structures (e.g., recreational facilities such as offices, amphitheaters, athletic courts) on natural parkland;

(5) Encourage retention of natural growth and grades; minimize regrading or the removal of topsoil and vegetation; establish new vegetation, especially trees;

(6) Minimize the construction of impervious surfaces; promote permeable materials for driveways, walkways, parking lots, and the like; and

(7) No streams in the ward should be channeled or culverted. Separate the combined sewer in Glover Archbold Park; removing Foundry Branch from the sewer would significantly improve the environmental quality of this park.

1406.6 [Reserved]

1406.7 [Reserved]

1406.8 Objective and policies for streetscape are as follows:

(a) Strengthen the image and design cohesiveness of the ward's commercial nodes, particularly along Connecticut and Wisconsin Avenues, and MacArthur Boulevard. This can be done by direct government action adopting streetscape plans and conducting a public information program to stimulate and provide guidance to joint public-private ventures (community organizations, local business associations, civic groups, ANCs, etc.) which are concerned about raising aesthetic standards for these special streets. Streetscape plans may include building design standards and should include beautification (i.e., landscaping), and approved street furniture. The plans

should also summarize in layman's terms limitations on signage for commercial and residential properties, so that these civic groups can report on abuses to DCRA;

(b) Governmental actions must ensure that pedestrian movement is easy, especially at those commercial nodes serving the ward's significant elderly population. Pedestrian movement may be impeded by the placement of street furniture, a concentration of street vendors, a large sidewalk cafe that leaves inadequate sidewalk space, and so forth;

(c) The design of sidewalk cafes must be compatible with the architectural qualities of the commercial node. Given the low-density character of Ward 3, new sidewalk cafes should be unenclosed and their furniture must be removed during the colder months when the cafes are unlikely to operate;

(d) The "tear drop" style streetlight luminaires should be retained on the ward's residential streets, and restored where possible on those local streets where they have been removed since 1990; and

(e) Development or redevelopment at any of the ward's commercial areas must be oriented toward the street, with off-street parking to be provided in the rear or below grade but not between the structure and the street.

1406.9 Objectives and policies for areas of strong architectural character and areas of stable character include following design guidelines:

(a) Height: Relate the overall height of new construction (including additions) to that of adjacent structures. As a general rule, construct new buildings to a height roughly equal to the average height of existing buildings. Avoid new construction which greatly varies in height (too high or too low) from older buildings in the vicinity;

(b) Scale: Relate the size and proportions of new construction to the scale of adjacent buildings. New construction should maintain the scale of existing buildings, regardless of size. Avoid new construction which in height, width, or massing violates the existing scale of the area;

(c) Massing: Break up uninteresting box-like forms into smaller, varied masses. Variety of form and massing are elements essential to the character of the streetscape. Avoid single, monolithic forms which are not relieved by variations in massing. Box-like facades and forms are intrusive when placed in a streetscape of older buildings which have varied massing and facade articulation;

(d) Directional expression: Relate the vertical, horizontal, or non-directional facade character of new construction to the predominant directional expression of nearby buildings. Horizontal buildings can be made to relate to the more vertical adjacent

structures by breaking the facade into smaller masses which conform to the primary expression of the streetscape. Avoid strongly horizontal or vertical facade expressions unless compatible with the character of structures in the immediate area;

(e) Setback: Maintain the historic facade lines of streetscapes by locating front walls of new construction in the same plane as the facades of adjacent buildings. If exceptions are made, buildings should be set back into the lot rather than closer to the street. If existing setbacks vary, new buildings should conform to historic siting patterns. Avoid violating the existing setback pattern by placing new construction in front of or behind the historic facade line. Avoid placing buildings at odd angles to the street, unless in an area where diverse siting already exists, even if proper setback is maintained;

(f) Roof shapes: Relate the roof forms of new construction to those found in the area. Although not entirely necessary, duplication of the existing or traditional roof shapes, pitches and materials on new construction is one way of making new structures more visually compatible. Avoid introducing roof shapes, pitches, or materials not traditionally used in the area;

(g) Rhythm of openings: Respect the recurrent alternation of wall areas with door and window elements in the facade. Also consider the width-to-height ratio of any bays. The placement of openings with respect to the facade's overall composition, symmetry, or balanced asymmetry should be carefully studied. Avoid introducing incompatible facade patterns which upset the rhythm of openings established in surrounding structures; and

(h) Material:

(1) Use building materials that match or harmonize with the materials predominant in the area or adjacent structures;

(2) Commercial development and high density residential adjacent to residential districts, particularly low-density, must provide buffers to mitigate adverse effects (which may include the shadows, noise, odors, traffic congestion, etc.);

(3) Encourage the renovation and adaptive re-use of existing structures rather than demolition in Ward 3;

(4) As a general rule it is inappropriate to erect fences or walls in front yards, except that chain link fences may be erected for a three-month preparatory period prior to construction, provided all necessary city permits for the proposed construction have been obtained, and may remain in place during the time of actual construction. The residential neighborhoods of Ward 3 are characterized by open spaces and building set backs;

(5) Superior design is a prerequisite amenity for all development projects in the ward that are reviewed through the Planned Unit Development or R-5-A processes of the Zoning Regulations or through the Large Tract Review (10 DCMR Chapter 23); and

(6) The Historic Preservation Review Board may review and make recommendations on the design of new development in local neighborhood centers adjacent to one of the ward's historic districts.

1406.10 [Reserved]

1406.11 [Reserved]

1406.12 Additional public actions are as follows:

(a) The Office of Planning should consider zoning techniques that might break up the generally continuous commercial appearance of Wisconsin Avenue and create a greater sense of the commercial areas being distinct nodes, as is the case on the other major avenues in Ward 3;

(b) District government officials must exercise flexibility in the standards required for street/gutter/curb/sidewalk improvements. Such flexibility should meet the need for such improvements while respecting the environment (as opposed to inflexibility that only meets the standards without regard to environmental effects). For instance: design standards for rights-of-way adjacent to parkland may have to be adapted to preserve open space and natural surfaces; street resurfacing must include every effort to protect and revitalize public space trees whose roots and trunks could be cut or damaged;

(c) Map the Tree & Slope Protection overlay (11 DCMR §1511) in hilly areas throughout the ward in addition to Woodland-Normanstone, particularly in areas adjacent to federal park lands;

(d) Reevaluate the types of trees specified for public space along the major arterial streets of the ward; slow-growing species may not be optimal for these heavily trafficked highways. Maintenance of public space trees and prompt disease removal must be improved; and

(e) Ensure that master plans, project plans, public facilities, and capital improvements for Ward 3 are consistent with the policies of the Urban Design Element and this ward plan.

1409 WARD 3 LAND USE

1409.1 Preface:

(a) The overall protection and enhancement of established residential and commercial areas are the primary objectives of the District's land use policy for Ward 3. The effects of nonresidential development on the ward's residential neighborhoods, and of non-neighborhood-serving redevelopment on the ward's commercial areas, must be carefully controlled and limited;

(b) The predominant land use in Ward 3 is residential, ranging from low-density large estates to moderate density row houses and garden apartments, to high-density multi-storied apartment buildings on several of the major avenues. The Generalized Land Use Map of the Land Use Element designates most of the ward in the low-density residential land use category; Ward 3 has the lowest population density in the city: sixteen (16) persons per acre for the ward as a whole and twenty-eight (28) persons per acre in residential areas;

(c) Parks, recreation, and open space comprise the second largest land use in Ward 3. About half of the ward's five thousand nine hundred eighty-six (5,986) acres (excluding public rights-of-way) is parkland (including Rock Creek Park (and tributary valleys), Zoological Park, Glover Parkway and Children's Playground (commonly known as Glover Archbold Park), Whitehaven Parkway, Battery Kemble Park, and the C & O Canal). This mostly wilderness, natural resource has a significant influence on quality of life in Ward 3;

(d) A distinctive feature of Ward 3 is the clustering of retail nodes at regular intervals along major arteries. Commercial land uses cover only some one hundred eighty-three (183) acres, about three percent (3%) of the ward's total land area (excluding public rights-of-way). They are located mostly on the major arterials. Except for portions of Wisconsin Avenue, the commercial nodes are generally separated by long segments of residential development, primarily apartment buildings. All of the commercial areas (except perhaps, Friendship Heights) are neighborhood-serving, and the uses tend to be small businesses. The Generalized Land Use Policy Map designates one (1) regional center (Friendship Heights at Wisconsin and Western Avenues), two (2) multi-neighborhood centers (Tenleytown at Wisconsin Avenue and Albemarle Street, and Forest Hills at Connecticut Avenue and Van Ness Street), and fourteen (14) local neighborhood centers: five (5) on Connecticut Avenue (Chevy Chase in the vicinity of Morrison Street, Forest Hills south of Nebraska Avenue, Cleveland Park in the vicinity of Ordway Street, Woodley Park opposite the Zoo, and Woodley Park north of Calvert Street), four (4) on Wisconsin Avenue (Friendship Heights south of Fessenden Street, North Cleveland Park in the vicinity of Van Ness Street, Cleveland Park/Cathedral Heights in the vicinity of Newark Street, and Glover Park south of Calvert Street),

three (3) on MacArthur Boulevard (in the vicinities of Cathedral Avenue, Dana Place, and 49th Place), one (1) on New Mexico Avenue (in the vicinity of Lowell Street), and one (1) on Massachusetts Avenue (southeast of 49th Street);

(e) Much of the land use activity over the last several decades has focused on attempts to redevelop these commercial nodes and intensify the nonresidential uses, usually with office space. Because of the ward's attractiveness and stability such redevelopment pressures are likely to continue, especially in the areas around the five (5) Metrorail stations. The Comprehensive Plan and this ward plan recognize that Ward 3's commercial areas are established, and that redevelopment pressures must be strictly limited and redirected to other areas of the city specified in the Comprehensive Plan for new economic development;

(f) There are a large number of institutional uses in Ward 3. These include religious, medical, educational, recreational, or public service uses as well as embassies and chanceries, museums, libraries, and galleries. Examples are the Washington National Cathedral, the National Presbyterian Center, Sibley Memorial Hospital, the Army Distaff Foundations (Knollwood), the American University, the University of the District of Columbia, the Howard University Law School, Mount Vernon College, Wesley Theological Seminary, the Washington School of Ballet, Sidwell Friends School, St. Albans, and the National Cathedral School of the Cathedral close, St. John's College High School, the International Center, INTELSAT, the chancery complex for Russia, the National Zoo, and the Hillwood and Kreeger museums. Many of these facilities have structures that are an exception to the neighborhood's land use or that do not conform to the underlying zoning. The compatability of these uses must be maintained, expansion carefully controlled, changes to neighborhood-related uses encouraged, and conversion to other nonconforming uses prevented;

(g) There is no industrial land (zoned or in use) in Ward 3. The former CSX rail right-of-way in the palisades has been discontinued and will be a hiker/biker trail under the jurisdiction of the National Park Service; and

(h) The current land use character of the ward - which is reflected in the Comprehensive Plan without change - has created a value in the land and attracted an affluence in population that contributes substantially to the District's tax base. This, in turn, enables the District to provide programs necessary for its entire population, and maintains the District as a preferred location for many types of organizations and business activities.

1409.2 Relation of Ward 3 to the declaration of major policies in the Land Use Element of the Comprehensive Plan. The objectives and policies for land use/zoning in Ward 3 are as follows:

(a) Maintain the existing land use character of the ward;

(b) Protect existing residential neighborhoods and enhance their qualities;

(c) Maintain and improve the physical condition of the community through the provision of functional, efficient, and attractive residential, commercial, and open space environments;

(d) Eliminate existing and potential conflicts between land uses and transportation facilities and functions;

(e) Protect existing low-scale neighborhood commercial centers from office and non-neighborhood-serving redevelopment, and retain existing retail services;

(f) Encourage redevelopment only in accordance with the relevant sections (e.g., economic development and housing) of this ward plan (which reflect and interpret the first eleven elements of the Comprehensive Plan);

(g) Correct or prevent inconsistencies between zoning and land uses designated in the Comprehensive Plan, and between building permit issuances and the Comprehensive Plan;

(h) Ensure that if development of institutional holdings and large estates or other parcels occurs it is compatible with the physical character of the ward, has no adverse effects on surrounding areas, and is consistent with the Comprehensive Plan;

(i) Maintain and improve viable residential areas and eliminate incompatible and nonconforming land uses in or proximate to residential areas;

(j) Maintain and enhance viable commercial areas at a scale appropriate to the surrounding areas;

(k) Maintain and expand the existing housing stock, where feasible and consistent with the Comprehensive Plan to ensure a greater variety of housing types, opportunities, and choices;

(l) Ensure that land use does not exceed the capacity of the ward's infrastructure (i.e., public facilities); and

(m) Increase the supply of child care facilities in commercial areas within the ward.

1409.3 [Reserved]

1409.4 Residential neighborhood objectives, policies, and actions are as follows:

(a) The Land Use Element designates four (4) housing opportunity areas in Ward 3 (Miller Tract in Spring Valley, Tenleytown Metro Station Area, Whitehaven Woods along Foxhall Road, and Friendship Heights at Wisconsin and Western avenues). Infill development and future breakup of the few remaining large estates present the only other important potentials for residential development in the ward. Much of this is likely to be controversial - a reason to do the following:

(1) Encourage interest in and direct development to the housing opportunity areas;

(2) Carefully control development elsewhere; and

(3) Ensure stringent protection against infill at inappropriate locations, as follows:

(A) Careful controls include ensuring consistency with policies in the Comprehensive Plan including the environment, transportation, urban design, and preservation and historic features sections of this ward plan to avoid adverse effects and promote desirable amenities; and

(B) Examples of inappropriate infill locations include the swaths of green space fronting many apartment buildings, particularly along Connecticut Avenue (such as Cathedral Mansions, the Kennedy-Warren, and the Broadmoor); the few large interior spaces of certain blocks on Connecticut Avenue, particularly those behind historic apartment buildings or adjacent to park lands; and on very large lots in single-family neighborhoods;

(b) Several areas in the ward, because of their existing low density and "park-like" setting, require land use controls in addition to the requirements of R-1 zoning (the most restrictive zone district):

(1) The Woodland-Normanstone area has been mapped with the Tree & Slope Protection overlay (11 DCMR §1511); this action should be monitored to ensure that the overlay, as drafted, accomplishes its stated purposes;

(2) This Tree & Slope Protection overlay should be considered and adapted for other park-like, hilly areas such as the Potomac palisades and the portions of the Forest Hills and Barnaby Woods neighborhoods adjacent to Rock Creek Park and its tributary valleys; and

(3) An overlay or other land use controls should be considered and adopted for the Wesley Heights neighborhood to limit infill that is out of keeping with existing house sizes, traditional setbacks, and extensive mature greenery;

(c) Where the production of new housing is desirable per this plan, zoning flexibility should be considered, especially for the elderly and for low- and moderate-income populations:

(1) Consider increased residential densities (consistent with design scale and infrastructure capacity) in exchange for incorporating low- and moderate-income or elderly housing in development projects;

(2) Consider the provision of elderly and low/moderate-income housing, when it is a substantial portion of a project, as an important amenity in Planned Unit Developments, provided that such housing shall be on site (given the need for affordable housing in Ward 3, off-site housing shall be disfavored);

(3) Restrict major commercial development in the Friendship Heights and Tenleytown housing opportunity areas;

(4) Tie the provision of housing into commercial developments where rezoning or other zoning benefits are sought. Mixed use developments should be encouraged in commercial zone districts; and

(5) Give zoning preference to projects which include housing near each of the ward's Metrorail stations; and

(d) The conversion of existing housing stock (such as in moderate-rent multi-family buildings near or in commercial areas) should be aggressively discouraged. Transient uses do not meet the housing objectives of this plan.

1409.5 Commercial areas objectives, policies, and actions are as follows:

(a) The ward's commercial zoning is a legacy of 1950s population projections and the extensive freeway system then planned for the District, even though several map cases imposed overlays or downzoned portions along Wisconsin and Connecticut avenues between 1986 and 1992. There are still about fifty (50) acres of C-3-A and C-3-B zoning, which allows medium density business and employment buildings from sixty-five feet (65 ft.) to ninety feet (90 ft.) high with a maximum FAR of four (4.0) to six and five tenths (6.5). in Friendship Heights, at the Tenleytown Metrorail station, and on Connecticut Avenue in the vicinity of Van Ness Street. Given the policies and land use designations of the Comprehensive Plan, including this ward plan, much of this medium density zoning must be downzoned as follows:

(1) Tenleytown is designated as a housing opportunity area with mixed use medium density residential and moderate density commercial uses. Without rezoning, this area is likely to see redevelopment with primarily medium density office space - threatening its multi-neighborhood retail services and the opportunity for significant new housing; and

(2) The Connecticut and Van Ness area is designated in the Land Use Element as moderate density commercial. There are also high density apartments to the east and high volume institutional uses on the west. This area also has overloaded, and therefore poorly functioning, intersections. Transportation review to ameliorate these unacceptable problems is essential;

(b) The remaining commercial areas of the ward are designated in the Land Use Element for low density. C-1 is a corresponding low density zone category. However, many of these areas remain zoned C-2-A or C-2-B. C-2-A may be appropriate in some places except where parcels could be large or deep and therefore capable of being developed with large buildings that will contain office space and little if any neighborhood-serving retail. Some of these areas have been rezoned to C-1, have a neighborhood commercial overlay (e.g., 11 DCMR 1300), or have been designated historic landmarks (which somewhat inhibits redevelopment potential). Given the policies and land use designations of the Comprehensive Plan, including this ward plan, much of the ward's existing commercial zoning must be further refined as follows:

(1) In October 1986 the Mayor recommended that the Spring Valley Shopping Center (Massachusetts Avenue by 49th Street) be downzoned to C-1. The existing C-2-A zoning for this area would allow changes in height, density, and use that are inconsistent with the Comprehensive Plan and the area's historic character, and that may be incompatible with the adjacent residential communities. This commercial district must be rezoned (C-1 and/or overlay) to ensure continued consistency between land use and the Comprehensive Plan; and

(2) Many of the other commercial nodes or strips remain zoned C-2-A (e.g., Wisconsin Avenue in Glover Park and Wisconsin Avenue in the vicinity of Ellicott and Fessenden streets). Because C-2-A allows greater commercial FAR than the one (1.0) generally provided in local neighborhood serving retail areas, all of the ward's C-2-A areas must be evaluated in terms of the following:

(A) The heights, densities, and commercial uses that could occur;

(B) The likelihood of such redevelopment occurring in a healthy economy; and

(C) The resulting impacts from such redevelopment. Where warranted on the basis of these evaluations, further rezoning (C-1 and/or overlay) must be implemented;

(c) The Office of Planning should consider zoning techniques that might break up the generally continuous commercial appearance of Wisconsin Avenue and create a

greater sense of the commercial areas being distinct nodes, as is the case on the other major avenues in Ward 3;

(d) Zoning amendments adopted around 1979 strictly limit hotel expansion in residential districts. The two large hotel/convention facilities in Ward 3 - the Sheraton-Washington and Omni-Shoreham hotels in Woodley Park - must be carefully controlled to prevent adverse effects on the adjacent residential community;

(e) Where applicable, buffers must be provided with new construction to mitigate the sharp transition between some residential and commercial districts. Buffers may be landscaping, fences, or other barriers, or architectural techniques that attempt to eliminate conflicts and adverse impacts (including aesthetics, vistas, shadows, privacy, noise, odors, traffic, parking, and litter);

(f) Commercial uses should not be introduced to areas where none is now present, and commercial zone districts should not be enlarged in the ward; and

(g) District government agencies and officials must develop better working relationships with Montgomery County and State of Maryland officials to coordinate commercial land use policies for both jurisdictions and to be sensitive to the residential neighborhoods of Ward 3 adjacent to the District's border.

1409.6 [Reserved]

1409.7 Public and institutional land use objectives, policies, and actions are as follows:

(a) Land use in Ward 3 must be sensitive to the retention of green space, compatible in use and scale, and respect the environmental qualities of public lands. In the decision-making to approve development proposals, there shall be a presumption that open space land should be provided. Existing park and recreational open space must be protected, and increased if possible. Park land that is unimproved should not be built upon, even for "public benefit" such as new roads, parking lots, or recreational buildings;

(b) The Office of Planning should prepare a comprehensive analysis of land use and development activities by educational institutions in Ward 3 to evaluate the adverse effects these institutions may have on surrounding neighborhoods. The effects include excessive noise, light, traffic, parking, off-campus student housing, and so forth. The analysis should include recommendations for eliminating the adverse effects;

(c) Because larger institutions in the ward have sought to remove uses that are substantial components of their approved campus plans, and because this then leaves a void in the campus plan, the Zoning Commission shall amend its

regulations to the effect that: any substantial change to an approved campus plan, including but not limited to the relocation of a college, building, or major activity from on campus to off campus, shall be submitted to the Board of Zoning Adjustment together with revisions to the campus plan. Such change, including relocation, shall not be permitted until the Board has approved a revised campus plan (that may not include the relocation if off campus but shall provide for what use or structure is to take its place on campus), even though the relocation may be to a district other than a residence district;

(d) The Zoning Commission must establish an open space zone district to include cemeteries, gardens, and parks. Although the ward is not characterized by the presence of cemeteries, there are at least two: Holy Rood Cemetery at Wisconsin Avenue and 35th Street, and Eldbrooke United Methodist Church on River Road near Wisconsin Avenue. In addition, the ward currently hosts a number of community gardens in areas including Glover Park (near 42nd Street and Tunlaw Road), McLean Gardens (at 39th and Newark Streets), Tilden Gardens (on Sedgwick Street near Connecticut Avenue), and 45th and Warren Streets, some of which are historic. Most of the ward's open space gardens are on park land. The ward's large parks, because they are federally owned, are not currently zoned. All of these uses - cemeteries, community gardens, and parks - are open spaces that should be zoned as such; for the cemeteries in particular this would discourage redevelopment interest; and

(e) A significant complex of embassy compounds or ambassadorial residences is now concentrated along Tilden and Van Ness Streets. Special security considerations for these properties should be taken into account wherever the potential for intrusive new development on immediately adjacent properties exists. New high-rise structures adjacent to these properties, whose upper floors would permit visual scrutiny of activities within such properties in foreign government ownership, are inappropriate.

1409.8 Additional land use objectives, policies, and actions are as follows:

(a) Actions by the Zoning Commission and Board of Zoning Adjustment must include consideration of the effects of light, heat, and security on one of Ward 3's important occupants - the U.S. Naval Observatory and Admiral's House - and must limit these effects where adverse. The establishment of the Naval Observatory Precinct District (11 DCMR §1531) should be monitored to ensure that the overlay, as drafted, accomplishes its stated purposes;

(b) The density of new development shall be consistent with the Comprehensive Plan; and

(c) Discretionary zoning approvals, such as Planned Unit Developments, affecting Ward 3 shall do the following:

(1) Require traffic mitigation studies, and make recommendations for traffic management (consistent with the Comprehensive Plan including the transportation section of this ward plan) a condition of approval;

(2) Require that an adequate municipal infrastructure (such as road, and public facilities) be in place; if the infrastructure is inadequate, the approval shall include a determination whether the improvements shall be publicly financed or be required of the development applicant as a condition for project approval;

(3) Treat "amenities" such as tax revenue and first-source employment as requirements; and

(4) Conform to the goals, objectives, and policies of the Comprehensive Plan, including this ward plan.