

TESTIMONY

of

Dorn C. McGrath, Jr., AICP

before the

ZONING COMMISSION OF THE DISTRICT OF COLUMBIA

on the matter of a

**Petition for Text and Map Amendment to establish § 1516,
Forest Hills Tree and Slope District, Case No. 02-19**

June 27, 2002

Good Evening Madam Chairman and Zoning Commissioners:

I am Dorn C. McGrath, Jr., AICP. I live at 2710 Brandywine Street, N.W. and I appear here on behalf of myself and the Forest Hills Citizens Association, of which I am a member. I am also a Professor of Urban and Regional Planning.

As a former chairman of the Committee of 100 on the Federal City (9 years), I have what I believe to be a good perspective on the city and its challenges, especially the challenges presented by the strong pressures to develop, or redevelop, every last square inch of our fixed resource for presumed economic gain.

I strongly support the proposed Tree and Slope Overlay District for Forest Hills.

The District of Columbia is a special place, and the proposed Tree and Slope Overlay District is a long-needed, but conventional, tool that will augment the present seriously outmoded Zoning Ordinance to help protect some of the District's most important assets against insensitive development.

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We all know that the present Zoning Ordinance is 44 years out of date, and that your own Commission suffers from the deficiencies in land use regulation that the present obsolete ordinance imposes. We know that the Commission staff maintains an ever-lengthening list of changes that should be made to modernize the present ordinance, but that this list, now with more than 200 items, is unlikely to be addressed *en toto* in the foreseeable future.

We all know that specialized overlay districts offer one of the easiest, most effective, and legally sufficient means of providing the environmental protection that our citizens need and deserve. We also know that this type of zoning district has been recommended by the Mayor's Office of Planning as one of the steps needed to implement provisions of the City's Comprehensive Plan and also the Adopted Plan for Ward 3. The proposed amendment is consistent with both. The Mayor's Office of Planning has endorsed the proposed overlay district in principle, but has suggested some curious --perhaps politically correct-- compromises, such as the exclusion of some of the steep-slope wooded areas studied and a high-density minimum lot size. These compromises reflect flawed analyses, in my opinion, and ignore the fact that the city's historic natural heritage is not defined in terms of zoning districts, but in the context of treed slopes and natural greenery.

We know that this Commission has approved the adoption of Tree and Slope Overlay Districts for two other important sectors of the city, and that these

Districts have not had adverse effects on property values in those sectors. I was personally involved in the drafting and preparation of one of these overlay districts, which was adopted in the wake of an unusually brutal girdling and cutting of large trees on a street abutting Rock Creek Park, partly so that the owners of the proposed new “McMansions” could see the trees across the street in the Park !

The proposed Tree and Slope Overlay would provide protection against the kind of intrusions that would rob the Forest Hills area of its special greenery, and therefore its essential character. Without the additional layer of protection afforded by the Tree and Slope Overlay District, we can expect a continuous parade of Special Exception requests to raise density and cut trees for what amounts to short-term profit for a very few. Many of us who live here believe firmly that Forest Hills is a place to live, NOT a place to cash in at the expense of one's neighbors.

It is true that an earlier generation of builders and developers had an integrated vision for what we know as Forest Hills; this vision, which respected the treed slopes and greenery of the entire area, has been an attractive asset for the city ever since. There is ample evidence that this original vision is under attack by forces intent upon reaping profits from one of the city's proud assets. The Tree and Slope Overlay District can help to make the inevitable process of change more orderly and beneficial to the public at large.

Among the original objectives stated for the Zoning Commission in its 1958 charter are the prevention of “undue concentration of population and the overcrowding on land” and the “encouragement of the stability of districts and of land values in those districts.” (Title 11, Sec. 101) Forest Hills is one of the special districts in our city that reflects an important part of the heritage of the National Capital. The proposed Tree and Slope Overlay District is a modern and well-thought-out measure that will help to preserve that heritage. We in Forest Hills hope that you will agree.

Thank you for this opportunity to speak.

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