Testimony of Barbara Zartman, Vice Chair
Committee of 100 on the Federal City

Zoning Commission Case 02-35
Building Height Measuring Point
March 17, 2003

Madam Chair and Members of the Commission:

Thank you for the opportunity to speak tonight on a straightforward but very important text amendment case, affecting the way in which buildings are to be measured for compliance with zoning. We are highly supportive of this clarifying language, which certainly appears to comply with provisions of the Comprehensive Plan and with reasonable interpretation of the Height Act.

The grade, as defined in the advertised proposed definition, certainly seems more consistent with these citations than the observations from Holland & Knight. Certainly the arguments about variations in "natural grade" have an element of truth, but less logic than arguments about changing elevated surfaces. If one measured building height from the Whitehurst Freeway, what would the impact of removal of the Whitehurst be? Of course the Whitehurst has no sidewalk. Would the Station Place argument be moot if the sidewalks were removed from the bridge?

Our wish is that the proposal went further and articulated greater control of the vague language about rooftop structures in various regulatory provisions. The recently considered Waterfront Open space proposal sought a restrained 40′ height, but allowed 18.5′ of rooftop structure, and potentially more allowance for staircase and other structures, as an example.

Further, height is normally measured, as you well know, from the street most favorable to the developer. The only W-1 square in Georgetown, intended similarly to limit buildings to 40′, now has a 100′ structure along its river side. Another instance of what Carter Brown would probably also have called a "casuistry of datum" is the manner in which, for zoning purposes, the several structures are considered a single building, because they were connected at a subterranean garage level. Or the interpretations that have allowed other structures to be treated as a single building because they are united by structural figments or gossamer canopies.

We would welcome proposals for text amendments that would eliminate such artificial manipulations of what should be straightforward analysis within a scheme to keep structures in design relationship to one another and to the larger built environment. Such proposals, drafted without reference to pending cases, would be a considerable benefit in the present spate of development proposals, and would position us all more fortuitously for the increase in such development many believe is coming.

Thank you.

ZONING COMMISSION
District of Columbia
Case 02-35
Exhibit 21
ZONING COMMISSION
District of Columbia
CASE NO.02-35
EXHIBIT NO.21