

TESTIMONY OF THE DUPONT CIRCLE CONSERVANCY

before the DC Zoning Commission on Historic District Issues as they relate to the proposed Inclusionary Zoning Overlay in Z.C. Case No. 04-33A)

October 19, 2006

The Dupont Circle Conservancy, a 501.c 3 organization formed in 1978, protects historic preservation of the following historic districts near Dupont Circle: Dupont Circle Historic District, Sixteenth Street Historic District, Strivers Section Historic District and the lower part of the Massachusetts Avenue Historic District.

The Conservancy urges that all historic districts in the District of Columbia be exempt from the proposed Inclusionary Zoning ("IZ") overlay. The chairman of the DC Historic Preservation Review Board has calculated that all of the historic districts in the city occupy only 15% of the total land area of the District. This small area should not have the burden of mandatory additional density imposed upon it when there is abundant space available elsewhere for IZ throughout the city.

Imposition of the IZ requirement would contravene the proposed Historic Preservation Element of the forthcoming Comprehensive Plan currently before the City Council. Action HP-2.4-C, Preservation Standards for Zoning Review, of that element states:

Work jointly with planning and zoning officials to promote consistency between zoning regulations and historic district design standards. Where needed, develop specialized standards or regulations to help preserve the characteristic building patterns of historic districts and minimize design conflicts between preservation and zoning controls.

The density bonus mandated by IZ in many instances will trigger a conflict between the generally low-rise historic fabric and the additional height and/or FAR permitted by IZ. This is particularly true in the historic districts under the purview of the Conservancy. Most of the residential structures in these districts are row houses of two and three stories in height. Similarly, many of the commercial historic buildings are low rise and would be subject to IZ bonus allowances.

The other significant factor in these historic districts is that there are a number of structures that are non-contributing to the historic district and can be demolished as a matter of right. Replacement buildings within the IZ overlay would be subject to bonus allowances that could set up a conflict with compatibility of the historic fabric of the district.

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ZONING COMMISSION
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It has been argued that these conflicts can be moderated by the DC Historic Preservation Review Board. I served as a member of that Board for twelve years, and I can testify that incompatibility between zoning and the historic fabric of a district was a constant problem. Obviously, developers wish to build to the maximum zoning envelope, which not infrequently exceeds the scale--especially the height--of surrounding historic structures. Imposing an IZ overlay would only exacerbate this problem. It is incumbent upon the Zoning Commission to recognize and resolve these conflicting situations, rather than casting the onus on the Historic Preservation Review Board.

In conclusion, the Conservancy strongly urges that all historic districts be exempt from IZ overlay, or alternatively, that a study of the characteristics of individual historic districts and their land use densities be undertaken before the imposition of IZ overlay on them.

Respectfully submitted,

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Past President
Dupont Circle Conservancy