

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Comprehensive Plan Act of 1984 to establish a broad range of goals, policies, and actions to guide public decisions by both District and federal agencies; and the District of Columbia Comprehensive Plan Act of 1984 Land Use Element Amendment Act of 1984 to provide a date for the Mayor to submit proposed conforming amendments to the Zoning Commission to eliminate any inconsistency between the Zoning Regulations and the amended Comprehensive Plan.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Comprehensive Plan Amendment Act of 2006".

Sec. 2. The District of Columbia Comprehensive Plan Act of 1984, effective April 10, 1984 (D.C. Law 5-76; D.C. Official Code § 1-301.62 *et seq.*), is amended as follows:

(a) Section 3 (10 DCMR §§ 100 through 1930) is amended as follows:

(1) The Introductory language is amended to read as follows:

"The Council of the District of Columbia adopts the District Elements of the Comprehensive Plan for the National Capital submitted by the Mayor to the Council on July 14, 2006 ("Comprehensive Plan"), with the maps and graphics as amended by the descriptive revisions contained in sections 3(a), 3(b), and 3(c), and with the text as amended and provided in section 3(d)."

(2) The previously adopted text and maps, known as the District Elements of the Comprehensive Plan adopted in 1984 and amended in 1985, 1990, 1994, and 1998, are repealed; except, that the provisions entitled Housing Linkage (10 DCMR § 305) are not repealed but are hereby incorporated into the District Elements of the Comprehensive Plan for the National Capital and the Comprehensive Plan Amendment Act of 2006, passed on 2nd reading on December 19, 2006 (Enrolled version of Bill 16-876).

(b) Section 7 (D.C. Official Code § 1-301.63) is amended by adding a new subsection (d) to read as follows:

"(d)(1) The Mayor shall transmit 2 generalized maps—a Future Land Use Map and a Generalized Policy Map—to the Council within 90 days after the effective date of the Comprehensive Plan Amendment Act of 2006, passed on 2nd reading on December 19, 2006 (Enrolled version of Bill 16-876).

(2) The maps transmitted under this section shall:

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(A) Conform to the requirements of sections 223 and 224 of Chapter 200 ("the Framework Element") of the Comprehensive Plan;

(B) Be printed at a scale of 1,500 feet to 1 inch;

(C) Use standardized colors for planning maps;

(D) Indicate generalized land use policies; and

(E) Include a street grid and other changes in format or design to improve the readability and understanding of the adopted policies.

(3)(A) The Council shall hold a public hearing to determine if the maps transmitted under this section conform to the maps adopted under sections 223 and 224 of the Framework Element of the Comprehensive Plan, as required by paragraph 2 of this subsection. If the Council determines that a map transmitted under this section conforms as required, the Council shall approve the map by resolution.

(B) If the Council determines that a map transmitted under this section does not conform as required by paragraph 2 of this section but requires corrections to conform, the Council shall approve the map by resolution, identifying the required corrections, and the Mayor shall publish a new map with the required corrections.”

(c) Section 8(c) (D.C. Official Code § 1-301.65(c)) is amended to read as follows:

“(c) Each progress report shall indicate the progress made in implementing Comprehensive Plan Actions during the reporting period and the key projected implementation activities by land use policy for the next 5 years.”.

(d) Section 9a(a) and (b) (D.C. Official Code § 1-301.66(a) and (b)) is amended to read as follows:

“(a) Within 90 days of the effective date of the Comprehensive Plan Amendment Act of 2006, passed on 2nd reading on December 19, 2006 (Enrolled version of Bill 16-876), the Mayor shall publish the Comprehensive Plan, as amended, in its entirety.”.

“(b) The Comprehensive Plan shall be consolidated by the District of Columbia Office of Documents into a single new or replacement title of the District of Columbia Municipal Regulations to be designated by the District of Columbia Office of Documents. The Comprehensive Plan shall be published in the format furnished by the Mayor and need not conform to the Office of Documents’ publication standards.”

Sec. 3. Additional map and text amendments.

(a) The District of Columbia Comprehensive Plan Future Land Use Map, dated November 2006, is adopted and amended as follows:

(1) The land use designation for the west side of 2nd Street, N.E., between I and L Streets, N.E., is changed from mixed-use medium density residential and medium density commercial to high density commercial.

(2) The land use designation for the area bounded by South Capitol, Half, I and M Streets, S.W., is changed from mixed use high density residential and high density commercial to high density commercial.

(3) The land use designation for the area in the Capitol South Transferable

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Development Rights receiving zone bounded by South Capitol, M, and 2 Streets, S.E., and the Southeast Freeway, S.E., is changed from mixed use high density residential and high density commercial to high density commercial.

(4) The land use designation for the area bounded by North Capitol and H Streets, New York and Florida Avenues and the Metrorail right-of-way, N.E., is changed from mixed use high density residential and high density commercial to high density commercial.

(5) The land use designation for the north side of M Street, S.E., between 2nd and 3rd Streets, S.E. (the property at 250 M Street, S.E.), is changed from mixed use high density residential and medium density commercial to high density commercial.

(6) The land use designation for the square bounded by 2nd, 3rd, and I Streets, S.E., and the Southeast Freeway, S.E. (the property at 225 Virginia Avenue, S.E.), is changed from mixed use high density residential and high density commercial to high density commercial.

(7) The land use designation for the portion of Square 2560 on Euclid and Champlain Streets, N.W., containing the First Church of Christ, Scientist building, is changed from moderate density residential to mixed use moderate density residential and low density commercial.

(8) The land use designation for the commercial strip in Squares 669 and 670, for the properties bounded by North Capitol and P Streets and New York Avenue, N.E., is changed from medium density commercial to high density commercial.

(9) The land use designation for the properties on both sides of Reed Street north of Rhode Island Avenue, N.E., is changed from mixed use medium density residential and medium density commercial to mixed use high density residential and medium density commercial.

(10) The land use designation for the property at 3330 New York Avenue, N.E., is changed from production, distribution, and repair to mixed use production, distribution, and repair, high density residential and medium density commercial.

(11) The land use designation for Lots 5, 800, 802, and 809 and Parcels 129/9 and 129/32 in Square 3587, bounded on the south by Florida Avenue, N.E., on the east by 4th Street, N.E., and on the north by Morse Street, N.E., is changed from production, distribution, and repair to mixed use production, distribution, and repair, high density residential and medium density commercial.

(12) The land use designation for Lot 800 in Square 2234, known as 2950 Tilden Street, N.W., is changed from medium density residential to moderate density residential.

(13) The land use designation for the north and south sides of Dix Street, N.E., between 57th and 60th Streets, N.E., is changed from low density residential to mixed use moderate density residential and low density commercial.

(14) The land use designation for the property bounded by 7th Street, N.W., 9th Street, N.W., O Street, N.W., and P Street, N.W. is changed from mixed use medium density residential and medium density commercial to mixed use high density residential and medium density commercial.

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(15) The land use designation for the property known as the Uline Arena, located in the block bounded by 2nd, 3rd, L and M Streets, N.E., is changed from mixed use medium density residential and production, distribution, and repair to mixed use medium density residential, medium density commercial, and production, distribution, and repair.

(16) The land use designation for the rear portion of the property known as the 208 Massachusetts Ave NE (Lot 3, Square 755), located in the block bounded by 2nd Street, N.E., 3rd Street, N.E., E Street, N.E., and Massachusetts Avenue, N.E., is changed from moderate density residential to moderate density commercial.

(b) The District of Columbia Comprehensive Plan Generalized Policy Map, dated July 2006, is adopted, with the definition of Neighborhood Conservation Areas amended by adding the following sentence to the end of the first paragraph of the definition:

"Neighborhood Conservation areas that are designated for PDR uses on the Future Land Use Map are expected to be retained with the mix of industrial, office, and retail uses they have historically provided."

(c) The other maps and graphics printed on the pages of the Comprehensive Plan are adopted and revised to conform with the text in section 3(d).

(d) ~~The Comprehensive Plan for the National Capital District Elements (Enrolled version of Bill 16-876 and The Comprehensive Plan for the National Capital District Elements, dated December 19, 2006), is hereby adopted and incorporated by reference into this act.~~

Sec 4. Section 7(b) of the District of Columbia Comprehensive Plan Act of 1984 Land Use Element Amendment Act of 1984, effective May 23, 1990 (D.C. Law 8-129; D.C. Official Code § 1-301.68(b)), is amended by striking the date "April 27, 1999" and inserting the phrase "the effective date of the Comprehensive Plan Amendment Act of 2006, passed on 2nd reading on December 19, 2006 (Enrolled version of Bill 16-876)," in its place.

Sec. 5. District of Columbia Register publication requirement exemption.

Notwithstanding section 8 of this act and sections 204 and 308(b) of the District of Columbia Administrative Procedure Act, effective March 6, 1979 (D.C. Law 2-153; D.C. Official Code §§ 2-602 and 2-558(b)), the text, maps, and graphics of the District elements of the Comprehensive Plan for the National Capital, as amended by this act, need not be published in the District of Columbia Register to become effective.

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 7. Implementation.

The amended Comprehensive Plan shall not begin to be implemented until March 1, 2007, or the effective date of this act, whichever is later.

Sec. 8. Effective date.

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(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) No District element of the Comprehensive Plan for the National Capital shall take effect until it has been reviewed by the National Capital Planning Commission as provided in section 2(a) of the National Capital Planning Act of 1952, approved June 6, 1924 (43 Stat. 463; D.C. Official Code § 2-1002(a)), and section 423 of the District of Columbia Home Rule Act, approved 24, 1973 (87 Stat. 792; D.C. Official Code § 1-204.23).

Chairman
Council of the District of Columbia

Mayor
District of Columbia