

Zoning Regulation Rewrite, Case Study in Bad Planning: Comparing the American Institute of Certified Planners (AICP) Code of Ethics and Professional Conduct with the DC Office of Planning's Proposal to Triple the Area known as Downtown D.C.

Currently there exists a Downtown Development Overlay (DD Overlay) in the DC zoning regulations.

The DD Overlay includes the area between Vermont and K Streets NW, east and south to Pennsylvania Ave and 15th Streets NW.

Defining aspects of the current Downtown zoning district include:

- DD Overlay Development projects can maximize height and density, with many buildings reaching 13+ stories high and consisting of a footprint at nearly 100% lot occupancy with no required front, side, or rear yards.
- Development projects within this area are also exempted by the DC's affordable housing requirements, meaning downtown development projects are not creating any new affordable housing units right now unless through significant government subsidy.
- Development projects in the Downtown Zone allows a smaller ratio of on-site parking units to be built with the project versus what is otherwise required by other projects outside of downtown.

During the Zoning Regulations Rewrite process (ZRR), DC Office of Planning staffers Jennifer Steingasser and Joel Lawson have proposed to triple the area size of downtown and expand the boundaries of the existing “DD Overlay” to a new “Proposed Expanded Downtown Zone.” *See Attachment 1.* The ZRR would also eliminate any parking requirements for downtown development.

The proposal to expand downtown is being offered by OP with little analysis of the myriad of adverse impacts this idea represents.

If downtown is expanded further west, east and south, you will see a further reduction in affordable housing options in this area, and that will affect adjacent district affordability. There will be an intensifying commercialization of the residential districts in this newly expanded downtown. There will be a decrease in the availability of on-street parking and increase overall vehicular congestion. There will be a much greater area of DC land where huge buildings, as in the biggest in DC, can be constructed.

Further, bigger buildings mean more offices, restaurants, bars and more impacts to the underlying public infrastructure like sewer/water/gas/electric. Bigger buildings and a bigger downtown attracts bigger crowds and daily commuters and bigger use. Does WMATA have the capacity to serve this major planning idea and perhaps final rulemaking?

Bad Planning in the District

- There are no known inter-related transportation models that were conducted by OP to determine if the downtown expansion proposal is even viable given the limited capacities of Metro trains and buses and costs associated therein.



- There are no known long range studies on the environmental pollution impacts, water-use impacts, pedestrian safety impacts, and other real impacts that an expanded downtown will bring.
- There are no known reports showing how this proposal will affect the daily quality of life for those residents who already live in what may become the newly expanded downtown area.

Obvious Questions for DC's "Planners"

Why is OP seeking to change the zoning regulations to triple the area of downtown without real-world study and science to substantiate this proposal? Without these studies, proposals like the expansion of downtown are not getting the special attention they deserve in order to protect the public interest.

Why is it acceptable for OP to push to expand downtown when they know it does not seek social justice needs like more affordable housing?

Why has this proposal been flown largely under the radar, with almost no one in the public being provided timely and clear information about this downtown expansion idea and its adverse impacts?

The ZRR Fails Basic Planning Protocols

Comparing OP's proposal to expand the "Downtown Zone" to the best ethical practices and protocols of the American Institute of Planning, one can easily observe how badly the ZRR process is failing the residents of the DC. *See Attachment 3.*

Given the current problems with infrastructure and transportation around the City, why hasn't OP conducted inter-agency and inter-related studies showing the efficacy of their zoning change ideas.

For reference to DC's sinkholes, methane leaks, failing bridges, and other issues with the antiquated DC infrastructure, *See Attachment 2.*

The ZRR Fails DC Law

Proposed amendments to the DC zoning regulations are supposed to follow implementation policies in the DC Comprehensive Plan, but more importantly it is match the purpose of **DC Code § 6-641.02**. Zoning regulations – Purpose. <http://dccode.org/simple/sections/6-641.02.html>

The Office of Planning has not demonstrated any science or data on the record showing that their philosophical ideas and opinions comport with, and don't actually challenge, DC Code § 6-641.02. Ideas, without supporting evidence, are merely opinions on how to change the future of the City, and OP's opinions are fundamentally based on the superficial philosophies of "smart-growth" proponents.

Conclusion

The ZRR consists of numerous problematic zoning changes being proposed by the Office of Planning which act against DC Law, the law which requires OP to prove their ideas won't adversely affect DC residents and neighborhoods. There are so many instances of this poor planning as to rile up neighborhoods across the City, and without the data to support OP's changes the ZRR process is arbitrary and capricious.

DISCUSSION NEEDED: Chris, DC for Reasonable Development, 202-810-2768, dc4reality@gmail.com