

The Zoning Regulations Review also known as the ZRR, is a project that began in 2007 led by the Office of Planning (OP) to revise the DC Zoning Regulations. This is the First time the Zoning Regulations have been comprehensively revised since 1958

The (OP) relies on the **National Capital Planning Commission's (NCPC) Federal Comprehensive Plan** as a standard for its decision making.

CHAPTER 24 PLANNED UNIT DEVELOPMENT PROCEDURES**Section**

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2400 PLANNED UNIT DEVELOPMENT (PUD)

- 2400.1 The planned unit development (PUD) process is designed to encourage high quality developments that provide public benefits.
- 2400.2 The overall goal is to permit flexibility of development and other incentives, such as increased building height and density; provided, that the project offers a commendable number or quality of public benefits and that it protects and advances the public health, safety, welfare, and convenience.
- 2400.3 A comprehensive public review by the Zoning Commission of the specific development proposal is required in order to evaluate the public benefits offered in proportion to the flexibility or incentives requested and in order to establish a basis for long-term public control over the specific use and development of the property.
- 2400.4 While providing for greater flexibility in planning and design than may be possible under conventional zoning procedures, the PUD process shall not be used to circumvent the intent and purposes of the Zoning Regulations, nor to result in action that is inconsistent with the Comprehensive Plan.
- 2400.5 The Commission may approve a PUD application with or without modifications. In carrying out the purposes of this chapter, the Commission may establish general standards and, in individual cases, set standards and conditions for height and bulk lesser or greater than the standards established for the affected districts in this chapter or elsewhere in this title.
- 2400.6 The Commission may also set appropriate time limits for benefits conferred under this chapter to individual applicants in order to ensure the construction of a proposed development in accordance with the conditions established.

2402.6 The Commission reserves the right to direct an applicant to revise a one-stage application into a two-stage application, if in the opinion of the Commission the circumstances and issues surrounding the proposal require a two-stage review.

2402.7 The Commission may dismiss or deny the application at the conclusion of the presentation of the applicant's case or at any point thereafter.

SOURCE: Final Rulemaking published at 42 DCR 6613, 6615 (December 1, 1995); as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8513-14 (October 20, 2000).

2403 PUD EVALUATION STANDARDS

2403.1 The Commission will evaluate and approve, disapprove, or modify a PUD application according to the standards in this section.

2403.2 The applicant shall have the burden of proof to justify the granting of the application according to these standards.

2403.3 The impact of the project on the surrounding area and the operation of city services and facilities shall not be found to be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project.

2403.4 The Commission shall find that the proposed PUD is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site.

2403.5 In the context of the Comprehensive Plan, the Commission shall also evaluate the specific public benefits and project amenities of the proposed development, which features may in some instances overlap.

2403.6 Public benefits are superior features of a proposed PUD that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from development of the site under the matter-of-right provisions of this title.

2403.7 A project amenity is one type of public benefit, specifically a functional or aesthetic feature of the proposed development that adds to the attractiveness, convenience, or comfort of the project for occupants and immediate neighbors.

2403.8 In deciding a PUD application, the Commission shall judge, balance, and reconcile the relative value of the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.

101 INTERPRETATION AND APPLICATION

- 101.1** In their interpretation and application, the provisions of this title shall be held to be the minimum requirements adopted for the promotion of the public health, safety, morals, convenience, order, prosperity, and general welfare to:
- (a) Provide adequate light and air;
 - (b) Prevent undue concentration of population and the overcrowding of land; and
 - (c) Provide distribution of population, business and industry, and use of land that will tend to create conditions favorable to transportation, protection of property, civic activity, and recreational, educational, and cultural opportunities; and that will tend to further economy and efficiency in the supply of public services.
- 101.2 The regulations in this title and the Zoning Maps are designed with consideration of the:
- (a) Character of the respective districts;
 - (b) Suitability of each district for the uses permitted in each district under this title; and
 - (c) Encouragement of the stability of districts and of land values in those districts.
- 101.3 The provisions of this title shall govern whenever they:
- (a) Require larger yards, courts, or other open spaces;
 - (b) Require a lower height or bulk of buildings or a smaller number of stories;
 - (c) Require a greater percentage of lot to be unoccupied; or
 - (d) Impose other higher standards than are required in or under any statute or by any other municipal regulations.
- 101.4 The provisions of any statute or other municipal regulations shall govern whenever they:
- (a) Require larger yards, courts, or other open spaces;
 - (b) Require a lower height or bulk of buildings or a smaller number of stories;
 - (c) Require a greater percentage of lot to be unoccupied; or
 - (d) Impose higher standards than are required by this title.
- 101.5 No building, structure, or premises shall be used, and no building, structure, or part of a building or structure shall be constructed, extended, moved, structurally altered, or enlarged except in conformity with this title.
- 101.6 Where a lot is divided, the division shall be effected in a manner that will not violate the provisions of this title for yards, courts, other open space, minimum lot width, minimum lot area, floor area ratio, percentage of lot occupancy, parking spaces, or loading berths applicable to that lot or any lot created.
- 101.7 If any section or provision of this title, or any boundary of any district on the Zoning Maps adopted under this title, is decided by the courts to be unconstitutional or invalid, that decision

shall not affect the validity of the regulations and the Zoning Maps as a whole or any part of the regulations or maps, other than the part determined to be unconstitutional or invalid.

SOURCE: §§ 1301, 1302, and 9201 of the Zoning Regulations, effective May 12, 1958; as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8336-37 (October 20, 2000).

Chapter 5

Housing

Element





Housing Element

THE HOUSING ELEMENT OF THE COMPREHENSIVE PLAN DESCRIBES THE importance of housing to neighborhood quality in the District of Columbia and the importance of providing housing opportunities for all segments of our population. 500.1

The critical housing issues facing the District of Columbia are addressed in this Element. These include:

- Ensuring housing affordability
- Fostering housing production
- Conserving existing housing stock
- **Promoting home ownership**
- Providing housing for residents with special needs. 500.2

These issues affect every facet of the Comprehensive Plan. They influence land use and density decisions, shape infrastructure and community service needs, determine transportation demand, and even drive employment strategies for District residents. At the most basic level, it is the availability of safe, decent, affordable housing that will determine whether the District's vision for an inclusive city will be realized. The type of housing constructed and the cost of that housing will influence whether we as a city can attract families with children, maintain neighborhood diversity, and provide economic opportunity for all. 500.3

The city's housing stock is varied in type and size. Table 5.1 shows the number of units by type, year built, size, and vacancy rate. Of the city's 248,000 occupied housing units in 2000, 41 percent were owner-occupied and 59 percent were renter-occupied. Forty percent of the housing units in the city are single-family units and over 35 percent of the housing stock was built before 1940. 500.4

Chapter 18

Far Southeast/ Southwest Area Element

way toward preparing youth and adults for good, quality jobs in the District's economy. Good access to transit is essential to connect residents with jobs in the District and elsewhere in the region.

- b. The culture of drugs and violence still destroys the lives of too many youth and families in the community. While the root causes of this problem are complex, greater investment in schools, libraries, child care centers, recreation centers, parks, and health clinics provides an important start toward improved public safety. Many residents have advocated for improved public facilities and services; the development that is planned for this area over the next 20 years should be leveraged to make this a reality. The Anacostia and Washington Highlands Libraries must be reconstructed. Anacostia High, Ketcham, Birney, Savoy, Ballou, and other schools must be modernized. Public facility improvements should be the cornerstone of any revitalization or neighborhood economic development program in this area.
- c. The Far Southeast/Southwest needs more housing suitable for families and young homeowners. The concentration of poverty in the community has resulted in part from the concentration of poorly maintained rental apartments and public housing, and few opportunities for home ownership. The established single family, row house, and duplex neighborhoods should be protected and enhanced. Additional low to moderate density housing should be encouraged as sites like St. Elizabeths (east campus) and Sheridan Terrace are redeveloped. In some areas, rezoning may be needed to promote the desired housing types—currently, much of the area is zoned “R-5-A” which perpetuates the garden apartment pattern.
- d. The community recognizes that there are opportunities for increased density within the Planning Area—especially around the Metro stations at Anacostia and Congress Heights, at St. Elizabeths, and in neighborhood centers along Martin Luther King Junior Avenue and South Capitol Street. Transit-oriented development in these areas can provide opportunities for seniors, households without cars, young renters, and others. Residents would like an array of housing choices, but believe that higher-density housing should be limited to the areas listed above. Beyond these areas, many residents have expressed the opinion that deteriorating apartment complexes should be replaced with less dense housing over time. In fact, this is what has happened at Frederick Douglass, Stanton Dwellings, and Valley Green, with public housing replaced by mixed income townhomes and detached units. Many residents asked that the remaining vacant sites in the community be planned and zoned for single family homes rather than more garden apartments.



CVS Regional Learning Center and DC One-Stop Career Center on South Capitol Street



Wheeler Creek

accrue to the neighborhood in terms of education and job opportunities, new and affordable housing for homeownership, improved urban design, and public infrastructure improvements. The planned unit development shall provide civic and cultural amenities, promote quality in design of buildings and public spaces, support local schools, create opportunities for cultural events and public art, and enhance the public realm by addressing safety and cleanliness issues. 1808.2

Policy FSS-1.1.2: Conservation of Lower Density Neighborhoods

Protect existing single family housing within the Far Southeast/Southwest by appropriately designating such areas as “Low Density Residential” on the Comprehensive Plan Future Land Use Map, and by zoning such areas for single family, rather than multi-family housing. 1808.3

Policy FSS-1.1.3: Rehabilitation of Multi-Family Housing

Support rehabilitation and stronger and more consistent code enforcement for the many garden apartments in the Planning Area, particularly in Shipley Terrace, Knox Hill, and Washington Highlands. Support city programs which provide financial assistance to renovate such complexes, with the condition that a significant portion of the units are preserved as affordable after renovation. 1808.4

Policy FSS-1.1.4: Infill Housing Development

Support infill housing development on vacant sites within the Far Southeast/Southwest, especially in Historic Anacostia, and in the Hillsdale, Fort Stanton, Bellevue, Congress Heights and Washington Highlands neighborhoods. 1808.5

Policy FSS-1.1.5: Transportation Improvements

Undertake transportation improvements and design changes that reduce the amount of “cut through” commuter traffic on local streets. These changes should include new bridges over the Anacostia River, redesigned ramps, and better connections between Downtown, I-295, and Suitland Parkway. 1808.6

Policy FSS-1.1.6: Anacostia Streetcar Project

Coordinate land use and transportation decisions along the proposed route of the Anacostia Streetcar ~~between Bolling AFB and the Anacostia Gateway area~~. Future development along the streetcar line should be clustered around proposed transit stops. In addition, the streetcar route should be designed and planned to minimize impacts on traffic flow and to avoid negative impacts on the historic character of the Anacostia community. 1808.7

Policy FSS-1.1.7: Retail Development

Support additional retail development within the Far Southeast/Southwest, especially in Historic Anacostia, and in the neighborhood centers at Malcolm X/Martin Luther King Jr Avenue and South Capitol/Atlantic.

1808 POLICIES AND ACTIONS FSS-1 GENERAL POLICIES FSS-1.1

GUIDING GROWTH AND NEIGHBORHOOD CONSERVATION

1808.1 The following general policies and actions should guide growth and neighborhood conservation decisions in the Far Southeast/Southwest. These policies and actions should be considered in tandem with those in the citywide elements of the Comprehensive Plan. 1808.1

1808.2 Policy FSS-1.1.1: Directing Growth

Concentrate future housing development and employment growth in the Far Southeast/Southwest around the Congress Heights and Anacostia Metro Stations, on the St. Elizabeths Hospital Campus, and along the “Great Streets” corridors of Martin Luther King Jr Avenue SE and South Capitol Street. Provide improved transit and automobile access to these areas and improve their visual and urban design qualities. 1808.2

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Projects which combine upper story housing or offices and ground floor retail are particularly encouraged in these three locations. 1808.8

Policy FSS-1.1.8: Supermarkets and Services

Attract additional supermarkets, family-style restaurants, full-service gas stations, and general merchandise stores to the Far Southeast/Southwest. The area's larger commercial sites should be marketed to potential investors, and economic and regulatory incentives should be used to attract business. The upgrading and renovation of the area's existing auto-oriented shopping centers is strongly encouraged. 1808.9

Policy FSS-1.1.9: Parking

Support additional dedicated off-street parking and loading areas in the business districts at Martin Luther King Jr Avenue/Malcolm X Avenue, Alabama Avenue/23rd Street, and Historic Anacostia. Work with local merchants in each area to identify potential sites. 1808.10

Policy FSS-1.1.10: Minority/Small Disadvantaged Business Development

Provide technical assistance to minority-owned and small businesses in the Far Southeast/Southwest to improve the range of goods and services available to the community. Joint venture opportunities, minority business set-asides, business incubator centers, and assistance to community-based development organizations should all be used to jumpstart local business and provide jobs in the community. 1808.11

Policy FSS-1.1.11: Workforce Development Centers

Support the development of additional vocational schools, job training facilities, and workforce development centers. Encourage the retention of existing job training centers, and the development of new centers on such sites as the St. Elizabeths Campus and DC Village to increase employment opportunities for local residents. 1808.12

Policy FSS-1.1.12: Increasing Home Ownership

Address the low rate of home ownership in the Far Southeast/Southwest by providing more owner-occupied housing in new construction, encouraging the construction of single family homes, and by supporting the conversion of rental apartments to owner-occupied housing, with an emphasis on units that are affordable to current tenants. 1808.13

Policy FSS-1.1.13: School Modernization

Strongly support the modernization of schools in the Far Southeast/Southwest Planning Area. Plans for additional housing must be accompanied by a commitment to improving educational facilities to meet current and future needs, and recognition that education is among the community's highest priorities. 1808.14

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1808.15 Action FSS-1.1.A: R-5-A Zoning

Evaluate the continued appropriateness of the R-5-A zoning that occurs throughout the Far Southeast/Southwest Planning Area. Currently, this zoning applies to many row house, duplex, and single family areas within the community. Rezoning should be considered to better match existing character, and to ensure that future infill development is compatible. The use of R-5-A and other, more dense multi-family zones should continue in areas where multi-family development exists or is desirable in the future. 1808.15

1808.16 Action FSS-1.1.B: Façade Improvements

Implement urban design and façade improvements in the established commercial districts along Martin Luther King Jr Avenue SE, Good Hope Road SE and South Capitol Street SW. 1808.16

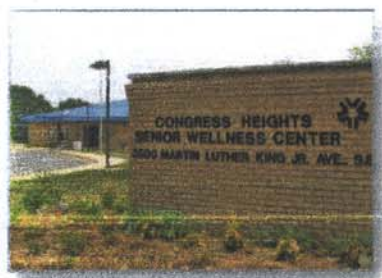
1808.17 Action FSS-1.1.C: Retail Development

Complete construction of the Camp Simms retail center by 2008 and support efforts to bring quality retail services to the site. 1808.17

1808.18 Action FSS-1.1.D: UDC Satellite Campus

Pursue the development of a satellite campus for University of the District of Columbia or another university (in consultation with local colleges and universities) either in this Planning Area or in the adjacent Planning Area to the north. Possible sites could include vacated DC Public Schools, the St. Elizabeths Campus, Poplar Point, and the Anacostia Metro Station area. 1808.18

1808.19 Action FSS-1.1.E: East of the River Development Zone Initiatives



Congress Heights Senior Wellness Center

Action FSS-1.1.A: R-5-A Zoning

Evaluate the continued appropriateness of the R-5-A zoning that occurs throughout the Far Southeast/Southwest Planning Area. Currently, this zoning applies to many row house, duplex, and single family areas within the community. Rezoning should be considered to better match existing character, and to ensure that future infill development is compatible. The use of R-5-A and other, more dense multi-family zones should continue in areas where multi-family development exists or is desirable in the future. 1808.15

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Action FSS-1.1.E: East of the River Development Zone Initiatives

Continue implementation of the various East of the River Development Zone Initiatives, designed to foster housing and economic development along Alabama Avenue SE and Martin Luther King Jr Avenue (in Anacostia) through financial and tax incentives. 1808.19

Action FSS-1.1.F: Transportation Improvements

Implement the recommendations of the Middle Anacostia Crossings Study, prepared by the District Department of Transportation in 2005. These recommendations include redesign of interchanges along I-295 to reduce traffic congestion on surface streets in Historic Anacostia and its vicinity. 1808.20

Action FSS-1.1.G: Streetcar Extension

Study the feasibility of extending the proposed Anacostia streetcar from Bolling Air Force Base south to DC Village and National Harbor. 1808.21

Policy FSS-1.1.14: District Government Incentives for Economic Development

Use the full range of incentives and tools available to the District Government, including tax abatements, tax increment financing, PILOTs,

1808.13 Policy FSS-1.1.12: Increasing Home Ownership

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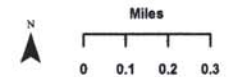
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1808.19 Action FSS-1.1.E: East of the River Development Zone Initiatives

- Low Density Residential
- Moderate Density Residential
- Medium Density Residential
- High Density Residential
- Low Density Commercial
- Moderate Density Commercial
- Medium Density Commercial
- High Density Commercial
- Production, Distribution, and Repair
- Federal
- Local Public Facilities
- Institutional
- Parks, Recreation, and Open Space
- Mixed Land Use
- WATER



This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.

LU-2.1 A CITY OF NEIGHBORHOODS

- 309.1 The same effort given to keep Washington's monumental core a symbol of national pride must be given to the city's neighborhoods. After all, the public image of the city is defined as much by its homes, businesses, streets, and neighborhood spaces as it is by its monuments and federal buildings. For Washington's residents, the neighborhoods are the essence of the city's social and physical environment. Land use policies must ensure that all neighborhoods have adequate access to commercial services, parks, educational and cultural facilities, and sufficient housing opportunities while protecting their rich historic and cultural legacies. 309.1
- 309.2 Washington has no fewer than 130 distinct and identifiable neighborhoods today. They range from high-density urban mixed use communities like the West End and Mount Vernon Square to quiet low-density neighborhoods like Crestwood and Spring Valley, providing a wide range of choices for the District's many different types of households. Just as their physical qualities vary, the social and economic characteristics of the city's neighborhoods also vary. In 2001, the DC Office of Planning used a range of social and economic indicators to classify neighborhoods as "stable", "transitional", "emerging", or "distressed." These indicators included income, home value and sales, school performance, crime rates, poverty rates, educational attainment, and building permit activity, among others. 309.2
- 309.3 Most of the District's recent planning efforts have focused on transitional, emerging, and distressed neighborhoods. Land use strategies for these areas have emphasized the reuse of vacant sites, the refurbishment (or replacement) of abandoned or deteriorating buildings, the removal of illegal land uses, and improvements to the public realm (e.g., streets and public buildings). These strategies have been paired with incentives for the private sector to reinvest in each neighborhood and provide new housing choices and services. A different set of land use strategies has been applied in "stable" neighborhoods, emphasizing neighborhood conservation and appropriate infill. Land use policies in these areas have focused on retaining neighborhood character, mitigating development impacts on services and infrastructure, preventing demolition in historic districts, and improving the connection between zoning and present and desired land uses. 309.3
- 309.4 During the coming decades, the District will keep striving for increased stability in its transitional, emerging, and distressed neighborhoods. This does not mean

programs, capital improvements, and other government actions in those areas that are most in need. Use social, economic, and physical indicators such as the poverty rate, the number of abandoned or substandard buildings, the crime rate, and the unemployment rate as key indicators of need. 309.7

309.8 **Policy LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods**

Recognize the importance of balancing goals to increase the housing supply and expand neighborhood commerce with parallel goals to protect neighborhood character, preserve historic resources, and restore the environment. The overarching goal to “create successful neighborhoods” in all parts of the city requires an emphasis on conservation in some neighborhoods and revitalization in others. 309.8

309.9 **Policy LU-2.1.4: Rehabilitation Before Demolition**

In redeveloping areas characterized by vacant, abandoned, and underutilized older buildings, generally encourage rehabilitation and adaptive reuse of existing buildings rather than demolition. 309.9

309.10 **Policy LU-2.1.5: Conservation of Single Family Neighborhoods**

Protect and conserve the District’s stable, low density neighborhoods and ensure that their zoning reflects their established low density character. Carefully manage the development of vacant land and the alteration of existing structures in and adjacent to single family neighborhoods in order to protect low density character, preserve open space, and maintain neighborhood scale. 309.10

309.11 **Policy LU-2.1.6: Teardowns**

Discourage the replacement of quality homes in good physical condition with new homes that are substantially larger, taller, and bulkier than the prevailing building stock. 309.11

309.12 **Policy LU-2.1.7: Conservation of Row House Neighborhoods**

Protect the character of row house neighborhoods by requiring the height and scale of structures to be consistent with the existing pattern, considering additional row house neighborhoods for “historic district” designation, and regulating the subdivision of row houses into multiple dwellings. Upward and outward extension of row houses which compromise their design and scale should

307 LU-1.4 NEIGHBORHOOD INFILL DEVELOPMENT

- 307.1 There are hundreds of small vacant lots across the District of Columbia located away from transit stations and off of the major boulevards. Analysis conducted through the Comprehensive Plan revision determined that vacant, residentially-zoned lots totaled more than 400 acres in 2005.

Approximately 50 percent of this acreage was zoned for single family homes, 15 percent was zoned for townhomes and rowhomes, and 35 percent was zoned for multi-family development. Most of the sites were less than one acre in size. Some of this land may not be developable to the limits allowed by zoning due to site constraints such as poor access, awkward parcel shapes, and steep topography. 307.1

- 307.2 Infill development on vacant lots is strongly supported in the District of Columbia, provided that such development is compatible in scale with its surroundings and consistent with environmental protection and public safety objectives. In residential areas, infill sites present some of the best opportunities in the city for “family” housing and low- to moderate-density development. In commercial areas, infill development can fill gaps in the streetwall and create more cohesive and attractive neighborhood centers. Vacant lots in such settings may also present opportunities for public uses, such as pocket parks, job training facilities, and child care centers. 307.2

- 307.3 In both residential and commercial settings, infill development must be sensitive to neighborhood context. High quality design standards should be required, the privacy of neighboring structures should be respected, and density and scale should reflect the desired character of the surrounding area. 307.3

- 307.4 Infill development may also include the restoration of vacant and abandoned structures. In 2003, there were an estimated 2,700 vacant and abandoned residential properties in the District. While the number has declined since then, some parts of the city continue to have relatively high concentrations of vacant buildings. As noted in the Housing Element, the city’s Home Again Initiative was launched in 2003 to restore such properties to active use. 307.4

307.5 Policy LU-1.4.1: Infill Development

Encourage infill development on vacant land within the city, particularly in areas where there are vacant lots that create “gaps” in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern. 307.5

307.6 Policy LU-1.4.2: Long-Term Vacant Sites

Facilitate the reuse of vacant lots that have historically been difficult to develop due to infrastructure or access problems, inadequate lot dimensions, fragmented or absentee ownership, or other constraints.

Explore lot consolidation, acquisition, and other measures which would address these constraints. 307.6

307.7

Policy LU-1.4.3: Zoning of Infill Sites

Ensure that the zoning of vacant infill sites is compatible with the prevailing development pattern in surrounding neighborhoods. This is particularly important in single family and row house neighborhoods that are currently zoned for multi-family development. 307.7

See the Housing Element for policies on the development of “New Communities” on the sites of aging public housing complexes and a discussion of the city’s “Home Again” program for rehabilitating vacant properties.

The provisions of Title 10, Part A of the DCMR accessible through this web interface are codification of the District Elements of the Comprehensive Plan for the National Capital. As such, they do not represent the organic provisions adopted by the Council of the District of Columbia. The official version of the District Elements only appears as a hard copy volume of Title 10, Part A published pursuant to section 9a of the District of Columbia Comprehensive Plan Act of 1994, effective April 10, 1984 (D.C. Law 5-76; D.C. Official Code § 1 -301.66)) . In the event of any inconsistency between the provisions accessible through this site and the provisions contained in the published version of Title 10, Part A, the provisions contained in the published version govern. A copy of the published District Elements is available www.planning.dc.gov.