

May 13, 2026

Mr. Anthony Hood

Chairman, Zoning Commission of the District of Columbia

441 4th Street, NW, Suite 210S

Washington, DC 20001

RE: Comments on Z.C. Case No. 25-13 OP Supplemental Report II, April 20, 2026: Remove Design Review contested case approach; administer design standards

Dear Mr. Hood and members of the Zoning Commission:

Please accept these comments on behalf of the Coalition for Smarter Growth. CSG advocates for walkable, bikeable, inclusive, transit-oriented communities as the most sustainable and equitable way for the DC region to grow and provide opportunities for all.

These comments are in response to the Zoning Commission's request for public input on the April 20, 2026 report by the Office of Planning and subsequent discussion of ZC 25-13 at the Commission's meeting on April 30, 2026. These comments supplement our letter dated 12/10/25 and our oral testimony on 12/11/25.

**I. Appeal risk of Design Review contested cases undermines goals of this case**

We share the concern of Ward3Vision and many others, that the proposed Design Review process makes virtually every future development project subject to a discretionary review process by the Zoning Commission. This requirement would make every new development proposal a contested case, significantly raising uncertainty, slowing the approval process, and increasing development costs. This would deter the initiation of new housing construction before it even becomes a proposal. The result would be less, and more expensive housing and business spaces, as well as making the delivery of publicly-subsidized affordable housing even more difficult.

We strongly believe in the importance of good design, especially given the increased density allowed in Case 25-13. However, given the experience of recent projects in the area, the requirement for Design Review by the Zoning Commission, would make every new development project a contested case. This would result in most cases stalled by appeal. This will have the chilling effect opponents of new housing in Ward 3 intend -- with many potentially high quality housing and mixed-use development projects not proposed, and not financed, due to fear of years-long delay and uncertainty. This scenario was the case in previous strong market conditions, now in DC's far weaker market position, this scenario is devastating.

Given the severe impact such appeals have on the economics of residential projects, this open-ended and discretionary review process would discourage new housing, at a time when we have made it a priority to bring more homes to Ward 3 to provide equitable, affordable, and attainable housing options in high opportunity, transit-accessible neighborhoods.

We concur with the Office of Planning's setdown report to not subject new housing capacity from rezoning to a Design Review process. OP and Zoning Commissioners have acknowledged that imposing a Design Review process will delay and stifle needed new housing that was intended to be catalyzed by the Comp Plan-directed planning and rezoning.

We ask the Zoning Commission to again consider the counterproductive consequences of relying on a discretionary Design Review process. We recite examples worth repeating:

- Cathedral Commons redevelopment on Wisconsin Ave. took a decade and a half to finally build a lower scale development than neighboring buildings.
- Mazza Galleria site, at the Friendship Heights Metro station, rebuilt as a matter of right rather than requesting a rezoning allowed under the Comp Plan amendments of 2021.
- Lady Bird project on Massachusetts Ave. was delayed by over 4 years, causing the loss of the first grocer commitment and the initial developer. Though the proposal was ultimately approved, it emerged in a very different economic environment.
- Wardman redevelopment at Woodley Park Metro station avoided an upzoning and substantial increase in housing that was available under the new Comp Plan.

While financing for housing development across the District faces great uncertainty, the upper Wisconsin Avenue corridor faces even more adversity, which means more lost opportunity and underutilization of transit and other city resources. The corridor's strengths of affluence and transit-accessibility are countered by opponents of new housing effectively using the discretionary review process to stall and block new proposals. This major upzoning tied to an unpredictable discretionary review process only exacerbates challenging economic conditions for new housing, and makes affordable housing projects nearly impossible.

## **II. Proposed design guidance lacks clarity, will engender disputes over interpretation**

The uncertainty in the Design Review process is amplified by the lack of sufficient specificity in the design guidelines included in the proposed amendment language, which is likely to invite appeals and legal challenges by housing opponents. In the July 21, 2025 setdown report, OP proposed by-right development and incorporated standards for height, setbacks, lot coverage and other design features, typically found in a form-based zoning code. We support this approach and encourage OP to continue its work to adopt form-based zoning that builds on and

adds to these measurable design standards to ensure implementation of the guidance of Wisconsin Avenue Development Framework (WADF). This approach is important in all the places where the Comprehensive Plan and local planning call for mixed-use, walkable development slated for increased housing capacity.

The Commission recognized these design-based provisions in its comments on April 30, 2026, but stated directly that the full WADF should be considered as the guidelines for Design Review. While the WADF creates an excellent framework for the type of development desired, the absence of specific measurable standards – e.g. spacing of active openings on a block, characteristics of different types of open space, lighting requirements – it leaves the outcomes of Design Review open to different interpretations and challenges.

### **III. Affordable housing provisions**

#### **a. Inclusionary Zoning Plus (IZ+) - we support proposed action**

We support the recommendation that the IZ+ references of the proposed zoning amendments remain as they are. OP is conducting a detailed assessment of IZ+ as it applies throughout the zoning regulations. We anticipate a separate case to consider any changes to the IZ+ regulations, which would be applicable to this area and zones.

#### **b. Advance affordable housing by right, consistent with Comp Plan 2021 amendments**

We support advancing affordable housing projects as a matter of right. Any delay in zoning approval for an affordable housing project is likely to eliminate its chances to secure financing in this high need (affordable housing deficit) area. The unpredictability of Design Review as a contested case is even more of a deterrent for affordable housing projects which rely on public subsidy with limited windows of opportunity to compete for funding. Regardless of other actions, we recommend the Commission allow projects by right that provide at least 33% permanently very-low- and extremely-low-income affordable units from Design Review. This is consistent with the priority given to these types of projects in the Comprehensive Plan 2021 amendments [2503.3](#).

### **IV. Recommendations**

We urge the Zoning Commission to recommit to the goal of significantly expanding housing capacity in this high opportunity corridor - both affordable and attainable for residents across a range of incomes. To accomplish this, the zoning amendments must create greater predictability for builders based on guidance from the public planning process, the WADF. WADF is the public process that provides the basis for setting zoning standards for walkable places with greatly expanded housing opportunities. We urge the Zoning Commission to minimize a project review

process that can be manipulated to create baseless delays. In alignment with our local partner group, Ward3Vision, we recommend:

1. Eliminate the proposed Design Review by the Zoning Commission from ZC 25-13. Approve the amended Tenleytown, Friendship Heights, and Wisconsin Ave proposed zones without requiring Design Review. Affordable housing (33% or more) should advance as a matter of right.
2. Direct OP to develop and submit for approval by the Zoning Commission, clear and objective design standards, based on the WADF for MU-10/FHM, MU-10/TTM, MU-8A/WA zones, which have been developed through extensive public input. These standards would support and extend the design guidance currently in the proposed amendments.
3. Direct the Zoning Administrator to determine compliance with design standards during permit review. There is already a precedent in DC zoning regulations for this approach. The Zoning Regulations for the Downtown Development District (DDD) Overlay Zone before 2016, required the Office of Planning to report to the ZA its finding on whether a proposed development project met the DDD requirements. Similarly many other jurisdictions place the responsibility with their Zoning Administrator for determining compliance with the design provisions in their zoning regulations.
4. This proposed administrative review process should apply to all projects proposed in the three new WADF zones: MU-10/FHM, MU-10/TTM, MU-8A/WA.

Thank you for the opportunity to provide additional comments.

Sincerely,



Cheryl Cort

DC and Prince George's Policy Director