

Comprehensive Plan Implementation Element

Proposed Amendments

~~DELETIONS~~

ADDITIONS

2500 ~~OVERVIEW~~ Overview 2500

2500.1 The Implementation Element describes how the policies and actions in the Comprehensive Plan should be carried out. The ~~Element~~ element provides recommendations on improving the long-range planning process, enhancing links between the Comprehensive Plan and the Capital Improvement Plan (CIP), reporting on Comprehensive Plan progress, and updating and amending the Comprehensive Plan in the future. It also identifies recommended Comprehensive Plan actions, with links to Zoning regulations; to ~~highlight the need for changes to facilitate making~~ that “zoning is” not inconsistent with the Comprehensive Plan” , as required by ~~the District DC~~ Code. 2500.1

2500.2 This ~~Element~~ element is divided into three sections:

- Administration of the Planning Process;
- Strengthening Linkages to Capital Programming and Zoning; and
- Monitoring, Evaluating, and Updating the Comprehensive Plan.

2500.2

2500.3 The Implementation Element also includes an “Action Planning” ~~Table~~ (Table 25.1, or the Implementation Table) summarizing all actions in the Comprehensive Plan. All of the actions listed in Table 25.1 are excerpted from Chapters 1-24 of the Comprehensive Plan and; the reader is advised to consult the relevant chapter for more information and additional context for each action listed. 2500.3

~~POLICIES AND ACTIONS~~

2501 IM-1 Administration of the Planning Process 2501

2501.1 This section of the Implementation Element addresses the manner in which land use planning policies are interpreted and applied on a day-to-day basis. This includes the development review, small area planning, zoning, long-range planning, and community involvement activities ~~that are~~ used to carry out Comprehensive Plan policies. These policies effectively define “standard operating procedures” (SOPs) for planning administration in ~~the District of Columbia~~ Washington, DC. 2501.1

2501.2 An equitable District is one in which all residents have the same opportunities to thrive and prosper, where health outcomes are improved for all racial and ethnic groups, and environmental benefits are shared by everyone. Equity is critically important to achieving positive outcomes within

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the District's communities. The goal of equity must go beyond closing the gap between different populations to establish conditions of well-being for all groups of people. The Comprehensive Plan addresses the topic of equity through the development of implementation strategies that are targeted based on the needs of a particular group. Additionally, an equity focus is newly established throughout the Comprehensive Plan. 2501.2

2501.3

As part of the effort to implement the Comprehensive Plan, the Office of Planning (OP) will synthesize and align policies throughout the Comprehensive Plan that explicitly focus on advancing equity and present these in the form of an Equity Crosswalk found within the Implementation Element. The crosswalk will highlight those occurrences where equity (both directly and indirectly) appears within each chapter to better understand existing Comprehensive Plan policies through a stronger equity focus and determine what is missing or needs to be strengthened. This focus on equity will also necessitate the District to prioritize and target public investments, policies, and programs, and make decisions that create measurable improvements in the lives of District residents, particularly those who have been most marginalized by systemic racism and structural inequity. 2501.3

2502

IM-1.1 Development Review 2502

2502.1

The development review process provides one of the most effective means of carrying out Comprehensive Plan policies. Projects requiring review by staff, the Board of Zoning Adjustment, and the Zoning Commission may be tied to findings of consistency with the Comprehensive Plan, or at least to evaluations that consider relevant Comprehensive Plan policies. ~~Development review~~ Agency review of development proposals also provides a means of evaluating the impacts of major projects on public services, and the natural environment, and assessing the compatibility of proposed design with adjacent uses and neighborhood character. The latter assessment is particularly important in historic districts, where review by the Historic Preservation Review Board (HPRB) also may be required. In their areas of expertise, the views and recommendations of District agencies should be carefully considered, and, where called for by law or regulation, given great weight. 2502.1

2502.2

~~Of course, n~~ Not all projects are subject to review prior to filing an application for a building permit. Much of ~~the city's~~ Washington, DC's development is permitted as a matter-of-right under existing zoning, affording few opportunities for ~~the Office of Planning OP to determine~~ review it for Comprehensive Plan consistency. In the future, ~~of increasing the~~ increased scrutiny of matter-of-right projects may be needed, particularly with respect to urban design, and environmental impacts and affordability. This could be included through adjustments to the thresholds for projects requiring "Large Tract Review"²², implementation of a Site Plan Review process, changes to the ~~city's~~ District's

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Environmental Impact Screening Forms, and additional standards to ensure that new development addresses broader civic priorities, including sufficiently mitigates its effects on housing, open space, the transportation network, arts and culture, traffic, parking, infrastructure, the natural environment, and public service needs, and affordability. 2502.2

2502.3 ~~Review and modifications to the Planned Unit Development (PUD) process and regulations are also needed.~~ Planned Unit Developments (PUDs) were originally conceived as a way to develop large tracts of land more creatively than was allowed by matter-of-right zoning. Creative design has been further incentivized through the granting of additional building height and density by the Zoning Commission in exchange for public benefits, such as affordable housing and open space. The ~~Zoning zoning Regulations regulations~~ establish minimum lot area standards for PUDs, ranging from two acres in low- and moderate-density residential districts to ~~15,000~~ 10,000 square feet in high-density and ~~commercial~~ mixed-use zoning districts, with provisions for a smaller area under certain circumstances. ~~reductions to these standards included in the Regulations.~~ Public benefits are generally provided on-site but may ~~also~~ sometimes be provided in the surrounding area, subject to specific provisions set forth by zoning. 2502.3

2502.4 While ~~this the PUD~~ process allows for significant public input, and often results in superior design and amenities, ~~it has been criticized in some parts of the city. Throughout the Comprehensive Plan revision process,~~ concerns ~~were~~ are sometimes expressed about the location and extent of public benefit amenities, the level of additional density that may be granted, and a perceived lack of predictability. ~~As the District sets out to revise its Zoning Regulations, careful~~ Evaluation of the PUD thresholds, standards, and waiver conditions ~~is recommended~~ were considered as part of the review and update to the zoning regulations in 2016. 2502.4

2502.5 *Policy IM-1.1.1: ~~Mitigation of Development Impacts~~*
To the greatest extent feasible, use the development review process to ensure that potential positive impacts are maximized and potential negative impacts on neighborhoods ~~stability,~~ the transportation network, traffic, parking, and environmental quality are assessed and adequately mitigated. 2502.5

2502.6 *Policy IM-1.1.2: Review of Development in Surrounding Communities*
Increase the District's participation in the review of development projects located in neighboring jurisdictions along the District's boundaries ~~in order~~ to promote land use compatibility and more effectively address ~~traffic~~ transportation and parking issues. 2502.6

2502.7 *Policy IM-1.1.3: Relating Development to Infrastructure Capacity*
Align development with infrastructure capacity. ~~Ensure that development does not exceed the capacity of infrastructure.~~ Land use decisions should balance the

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need to accommodate growth and development with available transportation capacity, including transit, and other travel modes ~~as well as streets and highways,~~ and the availability of water, sewer, drainage, solid waste, and other public services. 2502.7

- 2502.8 ***Policy IM-1.1.4: Incentives for Achieving Goals and Policies***
~~Allow the u~~Use of zoning incentives, such as increased height and density, in appropriate locations ~~as a tool for achieving~~ to achieve Comprehensive Plan goals and policies. 2502.8
- 2502.9 ***Policy IM-1.1.5: Development Approvals and the Comprehensive Plan***
~~To the extent they are relevant, e~~Consider the goals and policies of the District ~~Elements and Citywide Elements, where applicable,~~ in the approval of ~~planned-unit developments~~ PUDs, variances, campus plans, special exceptions; large tract reviews, and other projects requiring review. 2502.9
- 2502.10 ***Policy IM-1.1.6: Studies ~~Preceding~~ Informing Zoning Case Approvals***
To the extent the following factors are relevant for consideration, ~~Ensure that~~ zoning case approvals on matters such as ~~Planned Unit Developments (PUDs)~~ utilize should be informed by: (1) transportation and infrastructure studies and recommended conditions of approval to mitigate potential impacts; (2) agreements for financing any necessary improvements, including public and private responsibilities; and (3) agreements to comply with ~~“first source-employment”~~ District employment and hiring requirements and other regulations that provide public benefits to District residents. 2502.10
- 2502.11 ***Policy IM-1.1.7: Housing as a PUD Amenity***
Consider the provision of on-site housing for low ~~and moderate~~-income households, ~~seniors~~ older adults, ~~larger family-sized units,~~ and persons with ~~special needs~~ disabilities, and larger family-sized units to serve growing and multigenerational families as an important, high-priority amenity in ~~Planned-Unit Developments~~ PUDs, particularly in areas of high land value, where the provision of affordable housing is otherwise difficult to achieve. 2502.11
- 2502.12 ***Policy IM-1.1.8: Location of PUD Amenities***
~~Require that a~~A substantial part of the amenities proposed in ~~Planned Unit Developments (PUDs)~~ shall should accrue to the community in which the PUD could have an impact. 2502.12
- ~~2502.13 ***Action IM-1.1.A: PUD Regulations***
Complete an evaluation of the District’s Planned Unit Development (PUD) regulations and procedures, including a “Best Practices” assessment of PUD practices in other large cities. The evaluation should consider minimum size thresholds, appropriate allowances for bonus height and density, the types of public benefits that may be provided, and review and approval procedures. The~~

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~~evaluation should also consider much stricter limitations on the extension of PUD approvals. **Completed—See Implementation Table. 2502.13**~~

~~2502.14 **Action IM-1.1.B: Large Tract Review**~~

~~Complete an evaluation of the District's Large Tract Review procedures, including a "Best Practices" assessment of large tract procedures in other large cities. The evaluation should determine if the existing threshold of 50,000 square feet for commercial projects and three acres for residential projects is appropriate, and should include provisions to preclude projects from being broken into phases as a way to circumvent the review process. **Completed—See Implementation Table. 2502.14**~~

2503.1 **IM-1.2 Small Area Planning 2503**

Small Area Plans cover defined geographic areas that require more focused direction than can be provided by the Comprehensive Plan. The intent of such plans is to guide long-range development, ~~stabilize and~~ improve neighborhoods, achieve ~~city~~ **District**-wide goals, and attain economic and community benefits. The Comprehensive Plan Area Elements identify **recommended locations for Small Area Plans** ~~where Small Area Plans should be prepared~~, with an emphasis on the Land Use Change Areas, Enhancement Areas, and business districts shown on the Comprehensive Plan's Generalized Policies Map. **A Small Area Plan provides supplemental guidance to the Comprehensive Plan, unless incorporated into the Comprehensive Plan by a DC Council act. As these Small Area Plans are completed future amendments to the Comprehensive Plan should identify subsequent generations of small area plans. In exceptional cases, it may be appropriate to prepare a Small Area Plan for an area not called for in the Comprehensive Plan. Advisory Neighborhood Commissions (ANCs)** and public involvement in the development of Small Area Plans is desired and expected. 2503.1

2503.2 **Policy IM-1.2.1: Small Area Plans**

Prepare Small Area Plans and other planning studies for parts of ~~the city~~ **Washington, DC** where detailed direction or standards are needed to guide land use, transportation, urban design, and other future physical planning decisions. The focus should be on areas that offer opportunities for new residential, commercial, and mixed-use development, or areas with ~~problems~~ **challenges** or characteristics requiring place-specific planning actions. Use the Comprehensive Plan Area Elements, the Generalized Policies Map, and land use monitoring activities to identify areas in the ~~city~~ **District** where such plans are needed. ~~Citizens shall have the right to petition or suggest small area plans to be proposed by the Mayor. The mayor may also initiate a Small Area Plan in response to community requests that demonstrate a clear purpose and need.~~ **The mayor may also initiate a Small Area Plan in response to community requests that demonstrate a clear purpose and need.** 2503.2

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2503.3 ***Policy IM-1.2.2: Protocol for Small Area Plans***
~~Ensure that~~ Small Area Plans take a form appropriate to the needs of **both** the community **and the District**, reflecting **community and District-city**wide needs, **District-wide District** and neighborhood economic development policies and priorities, market conditions, **and** implementation requirements. **As with any other commitment of public resources, Small Area Plan work should consider** competing demands, available staffing ~~resources~~ and time, and available funding. Such plans should address ~~such~~ topics, **such** as neighborhood revitalization and conservation needs and strategies, aesthetic and public space improvements, circulation improvements and transportation management, capital improvement requirements and financing strategies, the need for zoning changes or special zoning requirements, and other implementation techniques necessary to achieve plan objectives. ~~Small area plans should be adopted by the Council and used to supplement the Comprehensive Plan. If necessary, Comprehensive Plan amendments should be introduced to promote ensure internal consistency for the areas involved.~~ **Small Area Plans are typically approved by resolution of the DC Council, and information from these plans may be subsequently incorporated into the Comprehensive Plan Elements. If approved by DC Council resolution, the Small Area Plans should be used as supplemental guidance by the Zoning Commission where not in conflict with the Comprehensive Plan. A Small Area Plan can be incorporated into, and given the same force as, the Comprehensive Plan by DC Council act.** 2503.3

2503.4 **Action IM-1.2.A: Implementation of Small Area Plans**
Amend the Comprehensive Plan to reflect Small Area Plan policies that are inconsistent with the Comprehensive Plan. 2503.4

Please consult the Area Elements of the Comprehensive Plan for actions relating to the locations of future Small Area Plans.

2504 **ImIM-1.3 Zoning regulations Regulations and Consistency 2504**

2504.1 The importance of zoning as a tool for implementing the Comprehensive Plan, particularly the Future Land Use Map, is discussed in several places in the Comprehensive Plan. The Home Rule Charter ~~requires~~ **provides** that zoning “shall not be inconsistent” with the Comprehensive Plan. Consequently, revisions to the Comprehensive Plan should be followed by revisions to the Zone Map ~~and/or text~~, with an emphasis on ~~removing~~ **eliminating** clear inconsistencies. 2504.1

2504.2 However, the zoning impact of the District Elements of the Comprehensive Plan is broad and is not limited to areas ~~where~~ **of conflict between the** Comprehensive Plan ~~and~~ Zone Map ~~inconsistencies are present~~. Additional zoning map amendments **may** be needed to achieve neighborhood revitalization or conservation goals, **greater housing availability, and access to public transit.**

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~~The Zoning Regulations themselves need substantial revision and organization, ranging from new definitions to updated development and design standards, and even new zones.~~ A major revision to the ~~Zoning zoning Regulations regulations~~ is planned for 2007-2009 **was completed in 2016**. Action items throughout the Comprehensive Plan ~~have been listed for consideration~~ **were considered** during this effort, eventually enabling zoning to work more effectively as a Comprehensive Plan implementation tool. Table 25-1 highlights all zoning-related actions that are included in the Comprehensive Plan. 2504.2

- 2504.3 ***Policy IM-1.3.1: Updating Land Use Controls***
Regularly review and update the District's land use controls and building codes to eliminate obsolete regulations and develop new regulations that address emerging issues, land uses, building types, and technologies. 2504.3
- 2504.4 ***Policy IM-1.3.2: Zone Map Consistency***
Consistent with the Home Rule Charter, ~~ensure that~~ the Zone Map **should be is** "not inconsistent" with the Comprehensive Plan, **including the text and the** Future Land Use Map. Make appropriate revisions to the Zone Map ~~and/or~~ **zoning text** to improve its alignment with **the Comprehensive Plan text and the** Future Land Use Map and to eliminate clear inconsistencies. 2504.4
- 2504.5 ***Policy IM-1.3.3: Consultation of Comprehensive Plan in Zoning Decisions***
~~Require~~ The Board of Zoning Adjustment, the Zoning Commission, ~~the Zoning Administrator~~, and other District agencies or decision-making bodies regulating land use, **should, when required by law or regulation,** ~~to~~ look to the District Elements of the Comprehensive Plan and its accompanying ~~Maps~~ **maps**. Decisions on requests for rezoning shall be guided by the Future Land Use **and Policy** Maps read in conjunction with the text of the **Comprehensive** Plan (Citywide and Area Elements), as well as Small Area Plans pertaining to the area proposed for rezoning. 2504.5
- 2504.6 ***Policy IM-1.3.4: Interpretation of the District Elements***
Recognize the overlapping nature of the Comprehensive Plan ~~elements~~ **Elements** as they are interpreted and applied. An element may be tempered by one or more of the other elements. As noted ~~at in~~ Section 300.2, ~~since~~ **because** the Land Use Element integrates the policies of all other District ~~elements~~ **Elements**, it should be given greater weight than the other elements. 2504.6
- 2504.7 ***Policy IM-1.3.5: District Government Compliance***
~~Ensure continued compliance by the~~ **District** government ~~of the District of Columbia~~ **compliance** with ~~the provisions and standards of~~ its building and zoning regulations in all parts of ~~the city~~ **Washington, DC is important**. 2504.7
- 2504.8** ***Action IM-1.3.A: Monitor and Review New Zoning Regulations***
Regularly monitor and review the zoning regulations to verify that they are

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working to achieve their purpose and submit corrections, changes, and amendments as necessary. 2504.8

- 2504.8 ~~Action IM-1.3.A: Zone Map Revision~~
~~Undertake a comprehensive revision to the District's Zone Map to eliminate inconsistencies between zoning and the Comprehensive Plan Future Land Use Map and other Comprehensive Plan Maps, including those showing historic districts. 2504.8~~ **Completed—See Implementation Table.**
- 2504.9 ~~Action IM-1.3.B: Comprehensive Plan / Zoning Correspondence Table~~
~~Prepare and publish general guidelines which indicate which zone districts are “clearly consistent”, “potentially consistent”, and “clearly inconsistent” with each Comprehensive Plan Land Use Category. 2504.9~~ **Completed—See Implementation Table.**
- 2504.10 ~~Action IM-1.3.C: Review of Definitions~~
~~Review the definitions used in planning, zoning, building, and housing codes to determine if changes are needed to establish consistency between 2504.10~~ **Completed—See Implementation Table.**
- 2504.11 ~~9~~ *Action IM-1.3.D: Adoption of Future Land Use Map and Policy Map*
Adopt the Future Land Use Map and Policy Map by “Act.” Any inconsistencies in land use map designations between the illustration on the map and the textual description of the map designation that is contained in the adopted Comprehensive Plan legislation **should all** be resolved in favor of the text.
2504.11 ~~9~~
- 2505 **IM-1.4 Long-Range Planning 2505**
- 2505.1 A ~~healthy~~ long-range planning ~~program function~~ is essential to ~~implementing~~ and ~~maintaining~~ the Comprehensive Plan, ~~monitoring~~ its effectiveness, and ~~collecting~~ and ~~analyzing~~ data to guide land use decisions. Other sections of the Comprehensive Plan speak to the importance of using long-range planning to guide the capital improvement process, public facilities plans, and transportation, housing, **arts and culture**, and economic development efforts. Good plans ~~must be based on~~ **require** good data; their success should be measurable through quantifiable benchmarks. Part of the function of long-range planning is to ~~ensure~~ **verify** that such benchmarks are realistic and ~~are~~ based on accurate sources, research, and analysis. 2505.1
- 2505.2 ~~Another key function of~~ **A robust** long-range planning ~~program~~ is **also critical** to advocate ~~on for~~ the District's ~~benefit~~ **goals** at the regional level. Successful implementation of the Comprehensive Plan will require additional ~~collaboration with adjacent state, county, and city governments; and additional~~ regional planning initiatives **and significant collaboration with adjacent state, county,**

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and city governments. The District ~~must be more than a passive bystander in these initiatives. It~~ should lead the way in discussions about regional housing, transportation, social, and environmental issues. It should advocate for greater equity at the regional level, stronger measures to balance jobs and housing across the region, and transit improvements ~~improve~~ **to enhance** regional mobility, **improve** environmental quality, and reduce urban sprawl. 2505.2

2505.3 ***Policy IM-1.4.1: Long-Range Planning Program***
Using the recommendations **of this Comprehensive Plan**, including in Section IM-3 (**entitled, Monitoring, Evaluating, and Amending the Comprehensive Plan**), ~~of this Comprehensive Plan~~, establish an ongoing planning process that provides for updating and amending the Comprehensive Plan, periodic progress reports, and collection and dissemination of long-range planning data. 2505.3

2505.4 ***Policy IM-1.4.2: Monitoring Neighborhood Trends***
Monitor social, economic, community, and real estate trends that might require land use actions or policy modifications. **Incorporate** ~~Ensure that~~ current, reliable data ~~is incorporated in the city's~~ **Washington, DC's** land use planning efforts, and **use that such that** data ~~is~~ consistently across District agencies. 2505.4

2505.5 ***Policy IM-1.4.3: Regional Planning***
Actively participate in regional ~~land use~~ planning initiatives, and recognize the link between these initiatives and broader District goals relating to housing, transportation, economic growth, ~~social~~ equity, and environmental quality. Encourage jurisdictions across the region to do their part to meet regional housing demand for ~~persons of all incomes~~ **residents at all income levels**, accommodate ~~special needs populations~~ **the needs of persons with disabilities**, contribute to transportation improvements, and make **equitable and sustainable** land use and transportation decisions ~~which support "smart growth"~~. 2505.5

~~2505.6 ***Action IM-1.4.A: Progress Reports***
At least once every two years, prepare a Comprehensive Plan Progress Report for the Council that documents the progress being made on implementation of the District Elements. 2505.6~~

2505.6 *Action IM-1.4.B: Policy Development*
Use data collection and progress monitoring to actively review and formulate new policies that respond to the changes affecting Washington, DC to further the goal of an inclusive District. 2505.6

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2507 IM-1.5 Public Input 2507

2507.1 Washington, DC ~~The District of Columbia~~ is committed to public involvement in local government affairs, particularly those relating to land use decisions. The District has one of the most extensive networks of ~~citizen~~ resident and civic organizations, neighborhood organizations, advocacy groups, and special interest groups in the country. Its ~~37~~ 40 ~~Advisory Neighborhood Commissions (ANCs)~~ provide a unique forum for seeking local input and expressing priorities on a range of land use issues. The Zoning Commission, Board of Zoning Adjustment, and the DC Council itself provide formalized opportunities for public discourse on land use matters. The ~~advent of the~~ internet, e-mail, social media ~~streaming-video~~, and other technologies have made information instantly accessible to thousands of residents, enabling unprecedented levels of participation in community meetings, summits, and forums. 2507.1

~~2507.2 There is presently considerable interest in expanding input even further through the creation of a city Planning Commission. A 2003 Assessment of the Comprehensive Plan concluded that the merits of a Planning Commission should be evaluated, in part to improve Comprehensive Plan implementation and accountability. This dialogue has continued to evolve over the past three years. Several options for the Commission's composition and responsibilities have been proposed; these will be given further consideration after the Comprehensive Plan is adopted. 2507.2~~

2507.32 *Policy IM-1.5.1: ANC Involvement of Advisory Neighborhood Commissions*
Include ~~the Advisory Neighborhood Commissions~~ ANCs and area residents in the review of development to assist the District in responding to resident concerns. Consistent with ~~the statutory~~ requirements of ~~the DC~~ District Code, ANC issues and concerns ~~feedback from the ANCs~~, as embodied in resolutions, should be given "great weight" as land use ~~recommendations and~~ decisions are made. 2507.32

2507.43 *Policy IM-1.5.2: Promoting Community Involvement*
Encourage the community to take a more proactive role in planning and development review, and to be involved in Comprehensive Plan development, amendment, and implementation. ~~A~~ Use a variety of means ~~should be used~~ to secure community input, including advisory and technical committees, community workshops, review of draft texts, public forums and hearings, and other means of discussion and communication. 2507.43

2507.54 *Policy IM-1.5.3: Faith-Based Institutions*
Recognize the importance of faith-based institutions to neighborhood life in Washington, DC ~~the District~~, including their role as neighborhood centers, social service providers, and community anchors. ~~Work collaboratively with local faith-institutions in neighborhood planning and development initiatives, both to address~~

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~~community needs and to reach residents who might not otherwise participate in local planning initiatives.~~ **Engage with local faith-based institutions as participants in neighborhood planning and development initiatives to address the views and needs, and to reach residents some who might not otherwise participate in local planning initiatives.** 2507.54

2507.65 ***Policy IM-1.5.4: Transparency in Decision-Making***
Strongly encourage transparent decision-making in all land use and development matters, making information available and accessible to residents, and maintaining open lines of communication with the public as plans are developed. 2507.65

2507.76 ***Policy IM-1.5.5: Electronic Media***
Enhance communication between residents, organizations, and the District government by providing access to information through electronic media and other methods. 2507.76

2507.7 ***Policy: IM-1.5.6: Language Access***
Consistent with the District's Language Access Act, provide equal access and participatory opportunities for District residents who cannot (or have limited capacity to) speak, read, or write English in planning processes and initiatives. 2507.7

2507.8 ***Action IM-1.5.A: Planning Publications***
~~Prepare a set~~ **Continue the development** of easy-to-understand written and electronic guides to help residents navigate the planning and building processes, comprehend land use planning and zoning regulations, and follow the standards, procedures, and expectations used in local planning activities. 2507.8

2507.9 ~~***Action IM-1.5.B: Planning Commission Feasibility Study***~~
~~Consistent with the recommendations of the Comprehensive Plan Assessment of 2003, conduct a Mayorally-commissioned study of the feasibility of creating Planning Commission in the District of Columbia. The report shall be prepared by outside parties and submitted to the Mayor, the Council, and e-public within 120 days of the effective date of the Comprehensive Plan a Commission, including its composition, roles, responsibilities, authority, staffing, and relationship to the City Council and other city commissions.~~ 2507.9 **Obsolete—See Implementation Table.**

2508 **Strengthening the Linkages to Capital Programming and Zoning** 2508

2508.1 This section addresses the need to strengthen the links between the Comprehensive Plan and the capital improvement and zoning processes. 2508.1

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2509 IM-2.1 Link to Capital Improvement Planning 2509

2509.1 ~~capital improvement plan~~ (**The CIP**) is a multi-year plan identifying capital projects to be funded during the planning period. Capital improvement planning provides one of the most important means to establish the Comprehensive Plan as the guiding document for future public investments. The CIP provides government with a process for the planning and budgeting of capital needs. It answers ~~such~~ questions **such** as what **and when** to buy, build, or repair. ~~and when to buy or build it~~. The basic function of a CIP is to provide a formal mechanism for decision-making, a link to the Comprehensive Plan, and a financial management tool for setting priorities for capital projects. 2509.1

~~2509.2 Most communities prepare a five- or six-year CIP. In general, only projects over a certain cost threshold and with a useful life of many years qualify for CIP funding. The CIP is generally organized around major program categories such as Parks and Recreation; Transportation Initiatives; Housing and Community Development; Public Facilities; Infrastructure, etc. 2509.2~~

2509.32 The CIP identifies each proposed capital project to be undertaken, the year the improvements or assets will be acquired or the project **will be** started, the amount of funds to be expended each year, and the way the expenditure will be funded. ~~The~~ CIP is not a static document; ~~it~~ is reviewed and updated on a regular basis (~~commonly on a yearly or two-year cycle~~) to reflect changing priorities, unexpected events, and new opportunities. The CIP includes investments in the repair and rehabilitation of existing infrastructure and facilities, as well as the construction of new infrastructure and facilities. It can include capital items, such as buildings, utility systems, roadways, bridges, **and** parks, and other large investments, such as land. 2509.32

2509.43 All capital budget requests should be reviewed and considered for their consistency with the recommendations of the Comprehensive Plan. **Since 2006, the District government has strengthened the links between the Comprehensive Plan and the CIP. OP established a Capital Planning Unit to support coordinated capital planning across agencies, and the administrative budget process has incorporated criteria relating to the Comprehensive Plan. Budget forums are held each spring to share direction and afford opportunities for feedback. In line with these accomplishments, the District government produces publications that help enhance the way the District allocates capital dollars (e.g., transportation, education, moderate-income housing).** ~~At this point in time, the District government develops an annual capital improvements budget but the link to the Comprehensive Plan remains weak. This is a critical gap in the city's planning process that needs to be filled.~~ The development of a multi-year CIP that is **consistent** compatible with the Comprehensive Plan's policies, actions, and priorities will **generally** allow the

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~~city District~~ to make investments where they are needed most and **provide** a more logical allocation of funds. ~~logically allocate funds.~~ 2509.43

2509.54

Policy IM-2.1.1: Capital Improvement Linkages

Link the ~~city's District's~~ **Capital Improvement Program (CIP)** to the Comprehensive Plan. Comprehensive Plan priorities should be ~~more effectively~~ embedded within the CIP to **promote the efficient and effective expenditure of** ~~ensure that~~ public ~~dollars~~ **funds**. ~~are spent as efficiently and effectively as possible.~~ 2509.54

~~2509.6~~ ***Action IM-2.1.A: DC Code Revisions***

~~Revise the DC Code to Formalize the link between the Comprehensive Plan and the multi-year Capital Improvements Plan. This link has been effective in other cities~~2509.6 **Completed-See Implementation Table.**

2509.75

Action IM-2.1.B: Enhanced CIP Process

Develop an enhanced CIP process that:

- Uses the Comprehensive Plan as the key guide to capital investments;
- **Includes Mandates** a Public Facilities Master Plan—, **including or, at least,** an ongoing Master Public Facilities coordination program that assesses facility needs and coordinates the public improvement plans of multiple ~~city~~ **District** agencies;
- Develops criteria for the review of capital projects for inclusion in the CIP that allows for an objective and transparent evaluation process;
- Includes an itemized allocation in the capital budget for implementation priorities that are specifically called for in the Comprehensive Plan;
- Clarifies the role of ~~the Office of Planning~~ **OP** in the CIP process;
- **Is adequately** ~~Ensures adequate~~ **staffed** ~~ing is in place~~ and ~~is~~ available to support the CIP process;
- Is grounded in the facts and data provided in the schools' Master Facilities Plan; and
- Develops and maintains a multi-year capital improvements planning process based on the Comprehensive Plan. 2509.75

2510

IM-2.2 Recommended Changes to the Zoning Regulations 2510

2510.1

As noted in Section IM-1.3, ~~the Zoning zoning Regulations regulations~~ are a primary vehicle for implementing the Comprehensive Plan. The responsibility for zoning in **Washington, DC** ~~the District of Columbia~~ rests with the Zoning Commission. The Commission must give “great weight” to ~~the OP's~~ **recommendations of the Office of Planning and to the issues and concerns raised by the ANCs** on zoning cases, ~~but~~ **The Commission** has ~~its~~ **their** own staff support (in the Office of Zoning). 2510.1

~~2510.2~~

~~Actions for the Zoning Commission to consider during its planned update and~~

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~~revision of the zoning regulations are highlighted in Table 25-1.~~

~~2510.2 This list is a roll-up of all the actions contained in the Elements of this Comprehensive Plan, including recommended changes to zoning or items that need further study. Some of the text in the table has been shortened here—the full text can be found in the Elements of the Plan. Some of the recommended changes should be made in the short term rather than waiting until the Zoning Regulations update. 2510.2~~

2511 **IM~~m~~-3 Monitoring, Evaluating, and Amending the Comprehensive Plan** 2511

2511.1 This section describes how and when monitoring and evaluation of the Comprehensive Plan should occur and how regular reporting can foster more accountability and openness in the Comprehensive Planning process. It also makes recommendations on the process and schedule for updating and amending the Comprehensive Plan in the future. 2511.1

2512 **IM~~m~~-3.1 Monitoring and Evaluating Comprehensive Plan Implementation** 2512

2512.1 The District ~~of Columbia~~ needs to be able to measure successes and challenges in Comprehensive Plan implementation. ~~The Office of Planning shall prepare an overall implementation calendar for the Comprehensive Plan, scheduling individual items with planned startup points and planned completion. The implementation calendar shall include the administrative staffing for ensuring that the various necessary actions across the District government are undertaken.~~
Working with the Office of Budget and Performance Management (OBPM), OP should make available to the public, on a regular basis, the status of all Comprehensive Plan actions and submit a progress report to DC Council every four years per District Code requirements. In the interests of transparency with the public on how the Comprehensive Plan is differentially affecting residents and to help ensure the Comprehensive Plan is meeting its goals around inclusivity and fulfilling commitments in the Framework, the progress report will include monitoring data, activity and impact information that is disaggregated by age, gender, race, and income level. OP should publicize the report through all applicable communication channels. ~~The best way to measure progress would be a biennial (once every two years) Implementation progress report by the Office of Planning through the Mayor to the Council of the District of Columbia.~~ This is a vital part of keeping the planning process open, transparent, and responsive. ~~It can also be a vehicle for review and refinement of implementation priorities, deletion of completed actions, and the addition of new actions or policies.~~ 2512.1

~~2512.2 The Office of Planning should make the Comprehensive Plan progress report a highly publicized effort to demonstrate the important role the Comprehensive~~

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~~Plan plays in decisions that affect the change, growth and development of the city. This will also keep the Comprehensive Plan process a topic of public discourse. 2512.2~~

~~See also Action IM-1.4.A earlier in this Element on Progress Reports.~~

2513 **IM-3.2 Updating and amending the Comprehensive Plan 2513**

2513.1 ~~The 1984 Comprehensive Plan was amended only four times in 20 years. While the DC District Code calls for the Comprehensive Plan to be amended “not less frequently than once every four years,” that **That** target **has** ~~was~~ not consistently **been** achieved. In addition, when the amendment process did occur, it took years—even for small, incremental amendments. 2513.1~~

2513.2 The existing four-year amendment cycle also does not contemplate periodic major revisions. A major revision is a more intensive effort than the amendment process, as whole sections of the Comprehensive Plan are re-written, based on the analysis of current data and challenges. ~~In most cities, this process takes two or three years to complete.~~ 2513.2

2513.3 **Planning and implementation are iterative processes. Amending the Comprehensive Plan is necessary to have a plan that reflects changing conditions, policies, and priorities.** ~~The 2003 basic Comprehensive Plan Assessment report concluded that the Comprehensive Plan amendment process took too long, did not~~ **amendment process, including public submittal and review of proposed amendments, and the mayor’s preparation and DC Council’s approval of an amendment, is governed by District law. This process should be concise, transparent, and include enough grounded in the ensure there is sufficient** ~~analysis of the need for (, or impact of,) individual amendments, and was not as transparent as was desired. The following recommendations respond to this conclusion and are organized into four categories:~~ **Given the scope and complexity of the Comprehensive Plan amendment process, it may be beneficial to consider whether changes to the process would help the District the District best achieve its planning goals.**

- ~~• The timeline for the Comprehensive Plan amendment cycle~~
- ~~• The process for submitting proposed amendments~~
- ~~• The process for evaluating proposed amendments~~
- ~~• The process for approving proposed amendments. 2513.3~~

2514 **IM-3.2.1 The Amendment Timeline**

2514.1 It is recommended that the Comprehensive Plan be amended at least every four years and that a major revision/ **or** update of the Comprehensive Plan be completed every 12 years. The review of the practices of other major cities

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completed as part of the Comprehensive Plan Assessment suggests that a 10- to 15-year cycle for major revisions to the Comprehensive Plan is appropriate. The major revision would reassess all Comprehensive Plan policies, including eCitywide and aArea eElement policies. It would not necessarily include a total re-write of each Elementelement but would focus instead on deleting outdated or irrelevant policies and actions, and editing or adding policies and actions to reflect emerging issues. The current provision that the Mm mayor can also submit amendments at other times should be retained. 2514.1

~~2514.2 It is further recommended that the first amendment cycle be initiated in 2008, two years after this Comprehensive Plan is adopted. There are two reasons for this: 1) amendments may be necessary soon after the revision to address unanticipated issues associated with new language in the Comprehensive Plan, and 2) to make the amendment cycle fall appropriately between election cycles. Amendment cycles are thus recommended in 2008-2009 and then again four years later in 2012-2013 with a major update/revision envisioned in 2016-2018. 2514.2~~

2514.32 ~~Timeline for a Typical Amendment Cycle~~
When considering the opportunities for amending the Comprehensive Plan, the following timeline is an example for an ~~typical~~ amendment cycle and major revision:

- Year 0: Plan Adoption
 - Years 3-4: Progress Report and Plan Amendment
 - Years 7-8: Progress Report and Plan Amendment
 - Years 11-12: Progress Report and Major Plan Revision (repeat cycle)
- 2514.32

~~It is recommended that amendments be sent by the Mayor to the City Council in May of the amendment year (2009, 2013, etc.), to avoid delays related to budget hearings that usually are completed by April. The details of the recommended timeline for the amendment process are as follows for 2008-2009 as an example: 2514.3~~

- ~~April-Aug 2008: The Office of Planning conducts extensive public outreach to inform the public of the opportunity to submit amendments. At least one meeting in each Ward should take place to describe the amendment process, answer questions pertaining to the Comprehensive Plan or amendment submission and review process, encourage appropriately documented submissions, and ensure public participation in the amendment process. During this time period, the Office of Planning itself would consider proposed amendments to reflect emerging issues, new small area plans, outdated actions, map changes, etc.~~

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- ~~• Sept 15, 2008: Deadline for submitting proposed amendments to the Office of Planning.~~
- ~~• Sept-Nov 2008: Initial screening of the proposed amendments by the Office of Planning to ascertain whether or not they are issues that can be addressed in the Comprehensive Plan. The Office of Planning would hold a public meeting to publicize what proposed amendments had been submitted.~~
- ~~• Dec 2008-Feb 2009:~~
- ~~• The Office of Planning coordinates the technical/policy analysis of the proposed amendments. The Office of Planning then prepares an “Amendment Report and Recommendations”.~~
- ~~• Mar-April 2009: Mayor forwards recommendations to the Council.~~
- ~~• May-Sept 2009: Council holds public hearings in June and takes final action by September. If new amendments are proposed as a result of public hearings, these are forwarded to The Office of Planning for analysis during Council’s summer recess.~~
- ~~• Oct 2009: After Council action, the Mayor may approve or veto the Council-approved Comprehensive Plan amendments.~~
- ~~• Nov-Dec 2009: After Mayoral approval, Congressional review (30 days) and NCPC review (60 days) run concurrently. If no changes are requested, then the amended Comprehensive Plan is formally adopted. 2514.4~~

~~2515 IM 3.2.2 Amendment Submittal Process 2515~~

~~2515.1 The Comprehensive Plan amendment process provides an opportunity for individuals, groups, city agencies, or the federal government to propose a change to the Comprehensive Plan to address changes in conditions and to reflect on-going work or new information. Proposed amendments can include changes to the text or maps of the Comprehensive Plan. 2515.1~~

~~2515.2 Documenting the Reason and Rationale for Each Amendment Demonstration that a change to the Comprehensive Plan is required lies solely with the applicant/proposer. The greater the degree of change proposed, the greater the burden of showing that the change is justified. Substantial reasons for amending the Comprehensive Plan include:~~

- ~~• Significant changes have occurred since the adoption of the Comprehensive Plan that necessitate the proposed amendment.~~
- ~~• Inconsistencies in land use or other plan objectives and policies exist in the adopted Comprehensive Plan that affect a geographical area of the District.~~
- ~~• The District government’s ability to achieve the goals and objectives of the~~

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~~Comprehensive Plan will be increased, or the operations of District government will be enhanced, as a result of the proposed amendment.~~

- ~~• Existing Comprehensive Plan goals, policies, or actions inhibit the ability of District government to achieve other public policy objectives.~~
- ~~• Substantial improvement in the quality of life for District residents will be achieved.~~
- ~~• Adoption of the proposed amendment is necessary to incorporate public policies established by the District government that are not reflected in the Comprehensive Plan.~~
- ~~• The amendment is needed to ensure continued consistency with the Federal Elements. 2515.2~~

~~2515.3 The following supporting information will be required when an amendment is proposed:~~

- ~~• If applicable, the location/general area that would be affected by the proposed change.~~
- ~~• A detailed description and explanation of the proposed text/map amendment, including the text and the specific language to be amended.~~
- ~~• A description of how the issue is currently addressed in the Comprehensive Plan. If it is not addressed, the public need for it must be described. An explanation of why the proposed change is the best means for meeting the identified public need, and what other options exist for meeting this need.~~
- ~~• The anticipated impacts of the change, including the impacts on the geographic area affected and the issues presented. This should include an assessment of net benefits to the city resulting from the change.~~
- ~~• Demonstration that the proposed change would be in conformance with the goals, policies and actions of the Comprehensive Plan.~~
- ~~• The applicant would be requested to include any data, research or reasoning that supports the proposed amendment.~~
- ~~• Demonstration of public support for the proposed amendment (as illustrated, for example, by discussion of the proposal at a public meeting, such as an ANC meeting). 2515.3~~

~~2516 IM 3.2.3 Analysis and Review Process 2516~~

~~2516.1 The analysis and review process must provide the public with opportunities to review and discuss the proposed amendments prior to submission to Council. This process is outlined below. 2516.1~~

~~2516.2 Initial Screen~~

~~The Office of Planning screens the proposed amendments. This first screen is a quick assessment to determine which proposed amendments are not proper subjects for inclusion in a Comprehensive Plan (such as operating, budget or legislative matters). The Office of Planning holds a public meeting to share its initial findings with the public. [If a Planning Commission were created, the~~

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~~Commission would hold a hearing to discuss the proposed amendments, including those that are determined not to be appropriate for the Comprehensive Plan.] The Office of Planning then conducts an analysis of those amendments determined to be appropriate. 2516.2~~

~~2516.3 — Technical/Policy Analysis~~

~~The Office of Planning analyzes the amendments and also coordinates the review of the proposed amendments with other District agencies. After collecting comments from other agencies, OP staff makes a recommendation that includes a detailed analysis. Staff then provides a “Proposed Amendments Report and Recommendations” and submits this report to the Mayor and the Council. [If a Planning Commission were created, then the Commission would hold a hearing and develop recommendations, which would then be sent to the Mayor and/or Council.] 2516.3~~

~~2516.4 — Proposed amendments would not be considered favorably if they were inconsistent with District law, more properly applicable to the Federal Elements than the District Elements of the Plan, included proposals that were beyond the legal scope or purview of the Comprehensive Plan, or submitted on a “marked up” or annotated copy of the Plan. Amendments to the Area Elements would be subject to the same criteria as amendments to the Citywide Elements. 2516.4~~

~~2517 — IM-3.2.4 Approval Process 2517~~

~~2517.1 — DC Council Review and Adoption~~

~~The following text outlines the steps in the Council review and adoption process for Comprehensive Plan amendments. The Council Committee of the Whole (Committee) holds a public hearing to receive comments on proposed amendments submitted by the Mayor. Any new or significantly modified amendment proposals are sent to the Office of Planning to conduct technical analysis and formulate recommendations. Once recommendations are provided, the Committee holds a meeting to consider and vote on which amendments should be adopted (the Council Chairman develops an initial recommendation for the Committee to review). Following approval by the Committee of the Whole, Council considers and votes on an amendment package in at least two legislative meetings (first and second readings) no less than two weeks apart. Any new or significantly modified amendment that is generated during any of these readings would be required to be accompanied by planning analysis and recommendation prior to the Council taking final action on the amendment. If a new or significantly modified amendment substantially changes the form of the Comprehensive Plan legislation, the Council would then schedule another reading on the legislation at least two weeks later (this could mean that Council holds a third reading). 2517.1~~

~~2517.2 — Mayoral Approval~~

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~~It is the Mayor's responsibility to take action to approve or veto the amendments.~~
~~2517.2~~

~~2517.3~~ ~~Federal Review~~

~~The District approved amendments are forwarded to Congress for a 30-day review period and to NCPC for a 60-day review period to assess the potential negative impacts of each amendment on the federal interest. If NCPC finds "no potential negative impacts on the federal interest" then the Comprehensive Plan amendments go into effect. If NCPC recommends changes to address negative impacts on the federal interest, then the Council must act to amend the plan to address NCPC requested changes.~~ 2517.3

2515 ~~IM~~m-3.3 ~~A~~ction ~~P~~lanning 2518

25185.1

This section rolls up all the actions included in the text of the Comprehensive Plan into an overall ~~action-~~**Action plan-Plan** (Table 25.1). The Action Plan includes:

- The District agencies or other bodies that have the responsibilities for carrying out each Comprehensive Plan action (~~note:~~ a list of agencies and abbreviations ~~is included at the end of this Element~~ **can be found in the glossary**);
- The recommended implementation time_frame (see further explanation below); and
- Those actions that will require capital funds for implementation. 2518.1
- ~~• Priority actions are highlighted with the symbol **P**~~
- ~~• Actions for the Zoning Commission to consider are highlighted with the symbol **Z**~~ 25185.2

25185.3

The recommended implementation time_frame classifies actions as follows:

- Ongoing actions are continuous activities that should be occurring now and on a regular basis into the future;
- Immediate actions are actions that are about to commence ~~or that should be initiated during 2006 or 2007.~~;
- "Short-term" actions are actions that should be initiated by ~~2008 or 2009~~**the first or second year after adoption** (Some short-term actions may take several years to complete.);
- "Mid-term" actions should be initiated by ~~2010 or 2011~~**the third or fourth year after adoption** (Some mid-term actions may begin sooner~~than 2010~~, depending on funding and available staff resources.); and
- "Long-term" actions include actions~~which~~ **that** may take many years to implement, and actions ~~which~~ **that** may not begin until **the fourth year** after ~~2010~~ **adoption** due to funding and staff constraints or other factors. 25185.3

25185.4

It is recognized that, when this Comprehensive Plan is adopted, there may not be complete agreement between the time frames set here and the ~~city's~~ **District's**

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approved ~~Capital Improvement Program (CIP)~~. Over time, a stronger link should be established so that the two documents are synchronized and eventually are in full agreement. Similarly, it should also be recognized that the actions ~~listed below in the Implementation Table (Table 25.1)~~ should not be interpreted as budgetary mandates. The intent is to convey a roster of priorities that should guide the ~~M~~mayor and ~~DC~~ Council as they develop, approve, and execute annual operating and capital budgets. ~~25185.4~~

~~25185.5~~ As noted ~~on Page 25-1~~, Table 25.1 is a rollup of all the actions contained in the ~~E~~lements of this Comprehensive Plan. ~~Some of the action text in the table has been shortened here; the full text of each action can be found in the Elements of the Comprehensive Plan.~~ ~~25185.5~~

2516 IM-3.4 Commercial Linkage 2516

2516.1 The housing linkage objective requires applicants who obtain ~~bonus commercial-office space~~ **an increase of non-residential square footage --** as a result of **providing habitable non-residential penthouse space, of obtaining a** discretionary ~~and otherwise appropriate~~ street or alley closing, or **of obtaining a discretionary** zoning density increase ~~--~~ to produce housing or contribute funds to the ~~production of housing, particularly housing HPTF, that is affordable to low- and moderate-income households throughout the District, in an~~ **The** amount based on a formula tied to the amount or value of the additional ~~commercial-office~~ square footage obtained. **2516**

2516.1a ~~Callout~~ **Text** Box: The District's Commercial Linkage Requirement
In 1994, the District ~~of Columbia~~ adopted zoning provisions that linked the granting of bonus density in commercial development projects to requirements for affordable housing. The "linkage" recognized that the demand for housing in ~~the city~~ **Washington, DC** was driven in part by new commercial development and rising land values. The linkage provisions are currently triggered by:

- The approval of a "discretionary and otherwise appropriate street or alley closing, which results in the provision of additional ~~commercial-office space~~ **non-residential square footage** by the **DC** Council; ~~or~~
- **The provision of habitable, non-residential penthouse space; or**
- The approval of a "discretionary and otherwise appropriate zoning density increase, which results in the provision of additional ~~office space~~ **non-residential square footage** by the Zoning Commission; **or the Board of Zoning Adjustment.** **2516.1a**

2516.1b In such cases, applicants are required to construct or rehabilitate housing that remains affordable to low- ~~and moderate~~ income households for at least ~~20~~ **40** years, or ~~to~~ pay into the District's ~~Housing Production Trust Fund~~ **HPTF**. If the applicant agrees to construct or rehabilitate affordable housing, the square footage of housing that must be built varies from 25 to 50 percent of the density "bonus"

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increase being granted, depending on if the housing is provided on-site ~~or~~, off-site, or in a high housing cost area. Applicants can use any of a number of tools to build the housing, such as partnerships and joint ventures. If the applicant agrees to pay into the ~~Housing Production Trust Fund~~ HPTF, the payment must equal at least half of the assessed value of the square footage of the density ~~“bonus”~~ increase being granted, plus the square footage of any preexisting housing demolished as a result of the non-residential development. Additional provisions relating to the timing and valuation of the improvements apply. 2516.1b

2516.1c

The linkage requirements include ~~a number of~~ several exemptions, such as projects that are already subject to housing, retail, arts, or historic preservation requirements; ~~projects approved prior to 1994;~~ and projects ~~receiving density bonuses through variances~~ located in enhanced/new neighborhood or enhanced/new multi-neighborhood centers. The Zoning Commission also has the authority to grant exemptions from this requirement based on certain findings relating to Comprehensive Plan consistency. 2516.1c

2516.2

In establishing the housing linkage objective, the District sets forth the following purposes:

- ~~To e~~ Encourage the construction and rehabilitation of housing ~~throughout the District of Columbia, particularly housing~~ that is affordable to low- ~~and moderate-~~ income households throughout Washington, DC;
- ~~To r~~ Reduce a shortage of affordable housing in the District ~~which has been caused in part by~~ and mitigate the impact of increased demand for affordable housing from employees of new ~~commercial~~ non-residential development who compete with current residents over scarce, available affordable housing, and by high land values ~~which~~ that raise the cost of housing and ~~which~~ are partly a function of the demand for additional ~~commercial office space~~ non-residential square footage in ~~the National Capital~~ Washington, DC; and
- ~~To i~~ Increase the income tax base and labor force in the District by providing a mechanism to stimulate the development and expansion of housing for ~~employees in the~~ people working in the District who cannot afford to reside in ~~the District~~ Washington, DC. 2516

2516.3

~~The policies established in support of the housing linkage objective are as follows:~~

- a. Except as provided in 2516.11 of this section, whenever the DC Council approves a discretionary and otherwise appropriate street or alley closing ~~which that~~ results in the provision of additional ~~commercial office space~~ non-residential square footage, or whenever the Zoning Commission or Board of Zoning Adjustment approves a discretionary, and otherwise appropriate zoning density increase, ~~which that~~ results in the provision of additional ~~commercial office space~~ non-residential square footage, the applicant who

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obtains the additional ~~commercial office space~~ **square footage** shall be required to comply with the following housing requirement:

1. **a.** The applicant shall construct or rehabilitate housing that is affordable to low- ~~and moderate~~-income households ~~in the District.~~ ~~¶~~ ~~The minimum amount of which shall~~ **shall** be calculated by the formula set forth in 2516.6 of this section, ~~which~~ **and** shall be dedicated ~~to use for~~ **as** affordable housing for no fewer than ~~twenty-~~ ~~(20)~~ **40** years; ~~and which shall~~ **It shall also** be developed in accordance with the schedule set forth in 2516.12 of this section; or
2. **b.** The applicant shall contribute funds to **the HPTF**, the minimum amount ~~of which~~ shall be calculated by the formula set forth in 2516.7 of this section, ~~to a housing trust fund~~ **and shall be** in accordance with the schedule set forth in 2516.13 of this section; **2516.3**

- ~~b. Except as provided in 2520.4, if the applicant agrees to construct or rehabilitate the affordable housing, then the total square footage of the affordable housing that the applicant shall be required to construct or rehabilitate shall be as follows:~~
- ~~1. Not less than one-fourth (1/4) of the total square footage of the additional commercial office space, if the required affordable housing is located on or adjacent to the site of the additional commercial office space;~~
 - ~~2. Not less than one-third (1/3) of the total square footage of the additional commercial office space, if the required affordable housing is located off or not adjacent to the site of the additional commercial office space, and if the housing is located within the advisory neighborhood commission area where the additional commercial office space is located or Table 25.2: Housing Linkage 2520 within an area designated on an enacted land use map of the Comprehensive Plan as a housing opportunity area; or~~
 - ~~3. Not less than one-half (1/2) of the total square footage of the additional commercial office space, if the required affordable housing is located in any other area of the District. 2520.3~~

2516.4

~~If the additional commercial office space is located on a development site that is improved with one (1) or more housing units that are removed, either after the application or within one (1) year prior to the application to facilitate the commercial development, the total square footage of the required affordable housing shall be not less than the total square footage of the removed housing plus the square footage of housing required by §2520.3(b). **The requirement to build affordable housing or contribute to the HPTF shall be based on the amount of increase in non-residential square footage achieved, plus the total square footage of any pre-existing housing on the site that was removed within one year prior to the filing of the application for a street or alley closing or a discretionary increase in square footage. 2516.4**~~

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2516.5 If the applicant agrees to construct or rehabilitate affordable housing pursuant to 2516.3(a)(1), the applicant may satisfy this agreement in any manner chosen by the applicant, including but not limited to, a joint venture, partnership, contract, or arrangement with another party to develop the required housing. **2516.5**

2516.6 ~~Except as provided in §2520.7, if the applicant agrees to contribute funds to a housing trust fund, the amount of funds to be contributed shall be no less than the total of one-half (1/2) of the assessed value of the total square footage of additional commercial office space.~~ **If** the applicant agrees to construct or rehabilitate the affordable housing, then the total square footage of the affordable housing that the applicant shall be required to construct or rehabilitate shall be as follows:

- a. Not less than one-fourth (~~1/4~~) of the total square footage ~~of the additional commercial office space~~, **as established by 2516.4**, if the required affordable housing is located on or adjacent to the site of the additional commercial office space;
- b. Not less than one-third (~~1/3~~) of the total square footage ~~of the additional commercial office space~~, **as established by 2516.4**, if the required ~~affordable~~ housing is located off or not adjacent to the site of the additional ~~commercial office~~ **non-residential** space, ~~and if the housing but~~ is located within the ~~same advisory neighborhood commission ANC area where the additional commercial office space is located or Table 25.2: Housing Linkage 2520~~, **or is** within an area designated ~~by DHCD on an enacted land use map of the Comprehensive Plan~~ as a **high-cost/high-opportunity area**; or
- c. Not less than one-half (~~1/2~~) of the total square footage ~~of the additional commercial office space~~, **as established by 2516.4**, if the required affordable housing is located in any other area of the District. **2516.6**

2516.7 ~~If the applicant agrees to contribute funds to a housing trust fund, and if the additional commercial office space is located on a development site that is improved with one (1) or more housing units that are removed, either after the application or within one (1) year prior to the application to facilitate the commercial development, the amount of funds to be contributed shall be no less than the total of the assessed value of the housing units that are removed plus one-half (1/2) of the assessed value of the total square footage of additional commercial office space.~~

~~An **If an** applicant who obtains a street or alley closing or a zoning density increase who is required to **agrees to** contribute funds to a housing trust fund **the HPTF**, pursuant to this section shall proceed in accordance with the following **schedule** **the total funds shall equal one-half of the assessed value of the land for the non-residential square footage development at the time of issuance of a Certificate of Occupancy (COO); divided by the maximum permitted gross square feet of non-residential development to determine a value per square foot; and then multiplied by the total square footage requirement as**~~

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established by 2516.4. 2516.7

2516.8 Nothing in this section shall **supplant any requirement of the Zoning Regulations, or** require the Zoning Commission **or the Board of Zoning Adjustment** to grant or deny an application for a zoning density increase. ~~Nothing in this section shall supplant any requirement of the Zoning Regulations.~~
2516.8

2516.9 Nothing in this section shall obviate the requirement that zoning shall not be inconsistent with the Comprehensive Plan. However, the Zoning Commission, **or Board of Zoning Adjustment,** and the ~~Mayor's Office of Planning OP~~ each shall consider an applicant's compliance with the requirements of this section as supportive of the Comprehensive Plan and as providing ~~public amenities~~ **required mitigation of the impacts on the demand for affordable housing associated with an applicant's project and the increase in square footage.**
2516.9

2516.10 The provisions of this section shall not apply to the following **street or alley closing. Zoning Commission, or Board of Zoning Adjustment** applicants:

- a. An applicant who obtains a street or alley closing or a zoning density increase for a development that includes, on or adjacent to the site of the development, an amount of housing that is equal to the amount that would be calculated pursuant to the formula set forth in 2516.4;
- b. An applicant whose development obtains no additional ~~commercial-office space~~ **non-residential square footage** as a result of obtaining a street or alley closing or a zoning density increase;
- c. An applicant for a street or alley closing or a zoning density increase who represents a federal government agency, ~~the Washington Metropolitan Area Transit Authority,~~ or the Pennsylvania Avenue Development Corporation;
- ~~d. An applicant who obtains additional commercial-office space pursuant to the variance provisions of the Zoning Regulations;~~ **An applicant for a street or alley closing or a zoning density increase who represents the Washington Metropolitan Area Transit Authority constructing a building for its own use;**
- e. An applicant whose approved street or alley closing was decided by the **DC** Council, or whose approved zoning density increase was decided by the Zoning Commission, prior to October 6, 1994;
- f. An applicant who obtains a zoning density increase for a development that already is subject to a housing, retail, arts, or historic preservation requirement pursuant to the zoning regulations set forth in the Downtown Development District; or
- g. An applicant who obtains a street or alley closing or a zoning density

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increase for a development about which the DC Council, in its legislation that approves of the street or alley closing, or the Zoning Commission or Board of Zoning Adjustment, in its order that approves of the zoning density increase, makes all of the following findings after a public hearing, for which prior notice of a request for this exemption was provided to each affected ~~Advisory Neighborhood Commission~~ ANC and in the District of Columbia Register, and during which the burden of proof is upon the applicant to justify granting this exemption:

1. The development associated with the street or alley closing or zoning density increase is located within ~~an area designated in the text or map of the Comprehensive Plan as a development opportunity area, a production and technical employment area, or a new or upgraded commercial center~~ an enhanced/new neighborhood or enhanced/new multi-neighborhood center; and
2. Imposition of no housing requirement or a housing requirement that is less stringent than the requirement imposed by this section is necessary to implement objectives and policies set forth in this Comprehensive Plan for that designated area, which otherwise would likely not be achieved. 2516.10

2516.11

An applicant who obtains a street or alley closing or a zoning density increase who is required to construct or rehabilitate affordable housing pursuant to this section shall not be issued a building permit for the applicant's ~~commercial non-residential~~ development until the applicant certifies to the District ~~either~~ that either a building permit has been issued for the required amount of affordable housing and an appropriate covenant documenting the affordability requirements has been executed for the benefit of the District and recorded in the Land Records of the District, or that the applicant has contributed sufficient funds no less than the amount determined in 2516.7 as applied to the square footage determined by 2516.4 to a housing provider to construct or rehabilitate the required amount of affordable housing. 2516.11

2516.12

An applicant who ~~obtains a street or alley closing or a zoning density increase who is required to contribute~~ contributes funds to ~~a housing trust fund~~ the HPTF pursuant to this section shall proceed in accordance with the following schedule:

- a. Prior to the issuance of a building permit for the non-residential development, ~~Not not~~ less than one-half ~~(1/2)~~ of the required total contribution shall be made ~~prior to the issuance of a building permit for any of the commercial development~~ based on an estimate using the assessed value of the land at the time of the building permit application; and
- b. The remaining balance of the required total contribution as determined by 2516.7 based on the assessment at the time of

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issuance of the COO shall be made prior to the issuance of a ~~certificate of occupancy~~ COO for any of the ~~commercial~~ non-residential development. 2516.12

2516.13 Prior to the issuance of a building permit or ~~certificate of occupancy~~ COO for the ~~commercial~~ non-residential development, (whichever is applicable), the applicant shall certify to the District that the provisions of this section have been satisfied. 2516.13

2516.14 The Zoning Commission and all other agencies that have authority to adopt regulations to implement the housing linkage policies shall adopt regulations to implement the provisions of this section. 2516.14