Mr. Chairman and Members of the Committee,


The proposed amendments properly emphasize several themes important to planning in the District over the next twenty years, including the cost of housing and affordable housing; climate change; and the need to ensure that the District remains inclusive and diverse.

Thus, ANC 6C endorses the statement in proposed new section 204.10 that “[h]ousing costs are perhaps the central challenge toward maintaining and growing an inclusive city.” We likewise support the new statement in section 205.6 that rising demand for housing has not been met with an adequate increase in supply.

ANC 6C also notes the importance of new section 207.3, which addresses the need to adopt technologies to prepare the city and its growing population for a changing climate.

There has been significant public controversy over the bill’s changes to the description of the Future Land-Use Map (FLUM). Some critics argue that these changes would endanger the character of our rowhouse neighborhoods, especially the Capitol Hill Historic District, and grant developers too much leeway. ANC 6C strongly disagrees, noting that the changes proposed are intended to overrule a recent Court of Appeals decision that misinterpreted the purpose of the FLUM.

The existing text of the Comp Plan makes explicit that the FLUM “is not a zoning map,” § 226.1(a). OP’s proposed amendments would underscore that the FLUM provides general guidance, but does not create precise standards for building envelope dimensions.

Contrary to some of the more heated rhetoric, enactment of this bill would not give developers (or anyone else) carte blanche to build what they want. It bears repeating that

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1 ANC 6C authorized this testimony at its duly noticed, regularly scheduled monthly meeting on March 14, 2018, with a quorum of 6 out of 6 commissioners and the public present, by a vote of 5-1.
if the Council were to adopt OP’s amendments, **the current zoning map and zoning regulations would remain unchanged.** Existing limits on height, stories, floor-area ratio, percentage of lot occupancy, and other aspects of a building would continue to apply just as they do today. Any alteration of these rules, such as a map amendment or a change to the height and density limits for a given zone, would still require a process involving full public notice and comment.

Over the past ten years, two areas within ANC 6C—NoMa and the H Street Northeast corridor—have undergone enormous change. Formerly derelict buildings have become housing, neighborhood-serving retail, office space, or some combination of these. Surface parking lots in industrial zones have turned into apartment buildings housing hundreds of Washingtonians.

In the past five years alone, ANC 6C has reviewed and weighed in on more than ten Planned Unit Developments (PUDs). These projects bring much-needed new housing—including affordable housing—and street-level retail, as well as community benefits such as funding for school playgrounds. Overall, we are very pleased with the changes these developments have brought to the community and proud of our role in ensuring that they benefit everyone.

Negotiating PUDs is hard work that demands substantial effort on the part of 6C commissioners and the volunteer citizen members of our planning and zoning committee. It is therefore profoundly frustrating to see certain groups—groups with no or minimal connection to our community—pursue court challenges to PUDs when those same groups never once participated in the ANC’s review and deliberations. (In many cases, these groups never bothered to appear in front of the Zoning Commission, either.) This kind of bad-faith activity needlessly delays the construction of new housing, increases the costs of building it, and ultimately damages the public interest instead of serving it. To the extent the legislation curbs this type of abusive litigation and allows ZC-approved projects to move forward more quickly, it is urgently needed.

One point worth addressing: critics have made much of OP’s unkept promise to circulate its proposed text for comment before sending it to the Council. It is fair to say that OP should have kept its word, and its failure to do so is a “process foul” that undermines public confidence. However, it is not in itself a reason to send the Framework Element revisions back to OP; instead, we can and should grapple with the substance of the bill here and now.

Finally, we recommend a number of modest textual revisions:

1. In section 206.1, strengthen the discussion of pedestrian and cyclist safety to emphasize the need for District government to adopt policies and implement programs to encourage these alternative transportation modes and better protect such vulnerable users from harm. (Also, replace the specific reference to Capital Bikeshare with a more general reference to docked and dockless bikeshare.)
2. In section 209.1, emphasize that one of the greatest challenges to ensuring the District’s domestic security is the lack of local control over important public spaces, including but not limited to the National Mall.

3. In section 215.10, insert “or ‘triple-up’” in the discussion of families feeling the pressure of rising housing costs.

4. In section 227.4 concerning PUDs, replace “commendable” with “commensurate,” the more appropriate word in this context.

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We thank you for the opportunity to provide testimony and welcome any followup questions the Committee may have.