Government of the District of Columbia

ZONING COMMISSION

STATEMENT OF REASONS

ORDER NO. 251

ZONING COMMISSION CASE NO. 78-1

AMENDMENTS TO THE PLANNED UNIT DEVELOPMENT PROCESS

Background of Zoning Revision

In successive stages since the beginning of the 1970's the Zoning Commission has been embarked on a comprehensive program to revise the Zoning Regulations of the District of Columbia. The Regulations which are presently in effect were adopted initially in 1958, and have been amended many times over the years.

In the late 1960's, the Federal Department of Housing and Urban Development asked the District of Columbia to initiate a program for revision of the Zoning Regulations as a prerequisite to the approval of more federal grant funds for the District. The Zoning Commission hired a consultant to prepare a program for revision of the Regulations, and began that process. Working in conjunction with District offices and departments, the Zoning Commission began to identify and review major problems areas of the Regulations. In 1970, the Commission adopted major changes

to the R-5-A and other similar residential districts, to assure that new developments in that district could be adequately served by available public services and that the quality of such development would provide proper living environments for the future residents.

In 1974, the Commission again acted to make major changes in the Regulations. After several years of staff work, and many hours of public hearings, the Commission adopted two new zone districts, the Waterfront and Mixed Use Districts, and the Sectional Development Plan process. All these changes were made to fill gaps in the Regulations caused by changing conditions in the District of Columbia since the original adoption of the Regulations in 1958.

Current Revision Proposals

In 1977, the Commission returned to the matter of Zoning Revision to deal with those problems which had been identified in zoning cases and planning studies as requiring attention. The Municipal Planning Office (renamed the Office of Planning and Development by Mayor's Order No. 79-9), which serves as the technical staff to the Zoning Commission and is also the agency designated by the Mayor in accordance with the Home Rule Act to do local comprehensive planning for the District, identified deficiencies in the Regulations as a result of local area planning studies which the office had undertaken. As set forth in a report to the Zoning Commission dated November 10, 1977, and pre-

sented to the Commission in a meeting held on November 10 and 11, 1977, the MPO reported the following:

> Takoma: The Municipal Planning Office has been asked to submit the Takoma Plan to the Zoning Commission and secure its adoption. That plan is a product of a community review process MPO facilitated.
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> Essentially, the zoning elements of the plan call for the adoption by the Zoning Commission of a series of "special" commercial zones with somewhat lower densities and height allowances than in existing mapped zones. That would be a text case. These new zones would be applied to the Takoma map in accordance with the plan as a map case. A bonus system with site plan review, including a provision for additional density close to the Metro stop, would be part of the text case. The plan itself is now receiving agency review.
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> Tenley Circle. A joint citizen-business - institution community action group is completing the Sectional Development Plan for Tenley Circle. The recommendations are similar, but not identical to those outlined for Takoma as far as zoning and mapping are concerned. We have received an economic study that appears to support the zoning approach. A companion traffic study report is being drafted. At that point, a final draft sectional development plan will be prepared for submission to the Commission. To carry out the plan as now projected, both text and map cases will be required.
>
> Dupont Circle. Staff work is in progress in accordance with Zoning Commission instructions. We will provide a report on that work before the end of the year in accordance with our commitment to the Commission. Meanwhile, I would note the community has made certain zoning text revision recommendations to meet Dupont needs (Case #76-23) that are similar in approach but not identical to the Takoma and Tenley proposals. Dupont also calls for adoption of a new two-level SP zone. The Dupont Map Case (76-24) calls for application of the proposed new zones to an extensive area in the vicinity of Dupont Circle.

Adams-Morgan. At the request of the Zoning Commission, we are engaged in the community assessment of an initial eight applications for map amendments filed by property owners earlier this year. (Cases No. 77-5,6,7, 8,9, 77-10,11, and 13). Additional cases have since been filed. Both text and map amendments would be required by a number of the applications, although only map cases were filed. Three community forums have been held respectively on October 12, 16 and 27 at which planning and zoning issues were discussed by specific study areas. A briefing paper on zoning in Spanish and English, a report on the results of field surveys in the area and a listing of community concerns and alternatives have been prepared and circulated. At Adams-Morgan, there are issues about the application of existing commercial zones and localized map problems related to the industrial zones. There is also a need to evaluate the applicability of the CR zone text to permit its use outside of sectional development plan areas.

Ward 7 and 8 Cases. We see the same intense interest in zoning issues in the East Washington Railway case in Ward 7 (Case No. 77-33), and in Ward 8 in the Wilburn (Cases No. 77-18,19 and 20) and the Wheeler Road (Case No. 77-1) cases. The Railway case is unique. Interest in the Ward cases have focussed on the lack of a site plan review process to deal with their concerns about the kind and level of development that should occur. It should be noted that there is strong support in many areas for a site plan review process that responds promptly and enables the Commission to address community concerns. We see such a process coupled with a bonus system as an additional zoning tool to meet community and City objectives. To achieve a bonus system, matter-of-right zoning may need to be reduced in some cases. Text changes would be required.

As is evident, the common thread running through these areas, and applicable to other areas as well, is the need to make changes in the text of the Zoning Regulations. These changes would focus on the city-wide implications of amending the text as a primary consideration, and leave resolution of the Zoning Map issues presented to a later time.

In its presentation, the Municipal Planning Office recommended that the Zoning Commission establish an extraordinary hearing proceeding to consider the major text revisions which arose from the various planning studies. The MPO identified the following issues to be considered:

*Revision of FAR and height allowances in the affected commercial zones to create in some zones a three level structure, (a) a lower than at present matter-of-right level, (b) a bonus level up to present matter-of-rights and densities to achieve City's historic preservation, urban design and other objectives and, (c) a special bonus level in the immediate vicinity of certain Metro stops. There would need be a provision to assure that existing structures not become non-conforming.

*Establishment of a simplified Article 75 site plan review process to deal with bonus and Metro station issues. In effect, it would provide that the Zoning Commission establish standards to review site plans. It is our thought that such reviews would occur before the BZA.

*Encouragement of mixed uses in commercial areas by elimination of the present residential penalty in commercial zones. This is dealt with in the PADC case.

*Requirement for BZA review of commercial office buildings over a minimum level in industrial zones. This would serve to encourage the elimination of inappropriate industrial zones in some areas.

*Establishment of additional SP and CR zones at lower height and density levels to allow for the more flexible application of these zone districts and to solve some problems identified in some of the map cases.

At the same time as the MPO was identifying the problem areas discussed above, the residents of the Dupont Cirle area were petitioning the Zoning Commission to make changes in the Zoning Regulations and Maps as they applied to that area of the city. The

Dupont Coalition, which includes Advisory Neighborhood Commission 2B, the Dupont Circle Citizens Association, the North Dupont Community Association and other citizen groups in the area, had prepared a plan for the area and in 1976 filed petitions for specific map and text changes, which were assigned case numbers 76-24 and 76-23, respectively. The Coalition was actively pressuring the Zoning Commission to set hearings on those specific proposals as well. To determine a specific course of action, the Commission held a special public meeting on December 15, 1977, and invited all interested persons and groups to appear before the Commission and present their views on the proposal suggested by the Municipal Planning Office. At that meeting, the Commission heard comments from several members of the City Council, from representative of the Dupont, Takoma, Adams-Morgan and other areas, from the Board of Trade, the National Capital Planning Association and other individual citizens. After several hours of discussion, the Commission determined that it would go forward to schedule hearings on the general revision of all the commercial, special purpose and mixed use districts, and other related issues. For purpose of administration, these proposals were separated into two cases by the staff. Case No. 78-1 was assigned to the revision of all the commercial districts and the Planned Unit Development process (Article 75). Case No. 78-2 was assigned to the revision of the special purpose and mixed use districts, as well as the general inquiry into the treatment of hotels. This statement of

reasons deals only with Case 78-1, and only with that portion of the case related to the Planned Unit Development process.

Legislative Background

The Self-Government and Governmental Reoganization Act (PL 93-108) modified both the Act relating to the National Capital Park and Planning Commission (PL 68-202, June 6, 1924, as amended) and the Zoning Acts (PL 66-153, March 1, 1920, as amended; PL 75-684, June 20, 1938, as amended) to provide for a relationship between planning and zoning under self-government.

In Section 492 of that Act, which is part of the Home Rule Charter for the District of Columbia, the Act provided that:

> "The Zoning Commission shall exercise all the power and perform all the duties with respect to zoning in the District as provided by law".

That Section also stated that:

> "Zoning maps and regulations, and amendments thereto, shall not be inconsistent with the comprehensive plan for the National Capital".

The same Section also provided that proposed actions of the District of Columbia Zoning Commission are to be submitted to the National Capital Planning Commission for its review and comment.

Section 203 of the same Act designates the Mayor as the "Central Planning Agency for the District Government" and establishes the National Capital Planning Commission as the "Central Federal Planning Agency".

The Mayor delegated his functions to the D.C. Municipal Planning Office, and more recently to the Assistant City Administrator for Planning and Development and the Office of Planning and Development.

Background of the PUD Process

The concept of a planned unit development process for the District of Columbia was first proposed by Harold M. Lewis, consultant to the Zoning Commission, in his study which preceded the adoption of the present Zoning Regulations in 1958. The Lewis proposal cited as its purposes the following:

> The purposes of this Section are to permit greater flexibility in development than otherwise would be possible under these regulations and to encourage the design of well planned, large-scale residential, university, institutional, or commercial developments, or a combination thereof, which might offer a variety of housing or building-types or more attractive and efficient over-all planning and design, without sacrificing creative and imaginative planning. Under this Section, designed shopping centers and large-scale residential developments might be constructed in areas which are located in one or more Districts. The procedure and standards established herein are intended to permit diversification in the type and location of

structures and to improve circulation and other site facilities, which at the same time insuring adequate standards relating to public health, safety, welfare, and convenience in the use and occupancy of buildings and other facilities in planned building-groups.

An application was to have a minimum of fifteen acres, and was to be processed on a preliminary basis primarily by the National Capital Planning Commission. The Zoning Commission was to hold only one hearing, and the applicant was to go directly from the Commission to the building permit stage.

The planned unit development regulation as adopted in 1958 was changed from the proposal of Harold Lewis. Most significantly, the minimum area requirement was lowered to ten acres, and the processing requirements were changed to put more emphasis on the Zoning Commission review of the application.

The process received a major overhaul in 1969. The Zoning Commission reduced the minimum area required for a planned unit development to three acres in most districts, and one acre in the higher density districts including high density residential districts (R-5-D) and mixed use districts (SP and CR) further provided for a waiver of the minimum area requirements in exceptional cases. At the same time, the process was split into a three step process, with the Zoning Commission review

split into preliminary and final stages, and further processing before the Board of Zoning Adjustment also required. The Regulations adopted in 1969 also introduced the concept of the bonus for the first time, providing in the Regulations the explicit possibility of increasing the height and density permitted in a given district after appropriate PUD review by the Commission. The Commission also tightened up on the procedures greatly, adding more detail on enforcement and administration of PUD's. This process and regulation is basically still in effect at present.

The Regulations were again amended in 1977, to add a separate one-step process for PUD approval. This process applies only to the C-3-B and C-4 Districts, and only to those projects where no change from the existing zoning us required.

The PUD process has been used many times since it was adopted in 1958. Projects approved under the PUD process include, mixed use projects such as the Watergate, Columbia Plaza and Capital View Plaza, institutional projects including Childrens Hospital, the WMATA headquarters building, the Polish and Hungarian Chanceries and the Whitehaven Chancery enclave, commercial projects including 2101 "L" Street and 1333 New Hampshire Avenue, residential projects including Edgewood Terrace, Chatsworth on the Bonnie Brae estate and Foxhall/Embassy Park/part of the Glover Estate and others.

There are a number of PUD projects which are either still in the process or have been approved but upon which construction has not yet started, including the World Bank, the Italian Chancery, the French Chancery, the WC and AN Miller Tract on Massachusetts Avenue, the Blair Road site, the Century Plaza/ Lafayette Center and others. There are also many other sites for which PUD's have been proposed which have not been approved by the Commission, including the Neiman-Marcus site in Friendship Heights, McLean Gardens, and other sites at Wisconsin Avenue and Calvert Street, 18th Street and Massachusetts Avenue, Gallatin Street N.E., North Capitol and "E" Streets, and others.

Problems with the Existing Process

In the consideration of these various planned unit development's and in its general review of the Zoning Regulations, the Zoning Commission has identified a number of problems associated with the process, as follows:

1. The amount of time needed to go through the process. Because of the three step process, it currently takes a minimum of eighteen to twenty-four months to go through the process to obtain an approval. This requires a great deal of front-end money to be committed by a developer and also can cost a great deal of money in terms of financing and carrying costs of property. This has discouraged developer interest in using the process.
2. Unnecessary duplication, vagueness and complexity. The current process contains many areas of duplication and overlap. Very often, the plans presented by the applicant at the preliminary stage before the Zoning Commission are essentially the same as those presented to the Board for further processing. In particular, the final Commission review and the BZA review usually cover the same items, and lead to more review than is necessary to evaluate a project. In addition, the Regulations in places are not clear as to what is required, and also are

extremely intricate and complex and are difficult to understand.

3. The minimum area requirement. There are few large properties in the District which are vacant or so undeveloped as to be likely candidates for PUD's. Furthermore, the District is a fully developed city, and much of the new development is likely to be on small vacant sites, redevelopment of existing properties or a combination of new development with retention of existing buildings. Many potential applicants were deterred by the necessity to have a three acre site, which is a large piece of property in a built-up city.

4. The lack of definitive standards. One complaint often heard from both developers and other persons appearing in opposition to applications is the lack of clear, definitive standards upon which to judge applications. This left people without a clear guide as to what the Zoning Commission would measure a PUD against.

5. Some lack of flexibility. The PUD process is designed similar to a floating zone process, to allow flexibility on a given piece of property in return for overall public benefits. The Regulations restricted the flexibility to achieve better solutions to problems in many areas, by limiting the

uses, and by setting maximum limits on other features, such as height, floor area and lot occupancy.

Relationship to other elements of the present Revision Process

The changes to the planned unit development process, as noted earlier, were part of a larger revision effort dealing with all of the commercial, special purpose and mixed use districts. It is important thus to note the relationship of the PUD amendments to other elements of this revision process. In particular:

A. As part of Case NOs. 78-1 and 78-2, the Commission lowered the floor area ratio permitted for non-residential development allowed as a matter-of-right in several zone districts, including C-2-A, C-3-A and SP-2. One of the concurrent and balancing actions was to be the availability of using the PUD process for many properties so zoned. This was to allow the floor area ratios to be restored upon appropriate examination by the Commission and determination that benefits to the city would be accrued and adverse effects be avoided.

B. As part of Cases No. 78-1 and 78-2, the Commission proposed to institute a bonus system, which would have awarded additional density and height in return for the provision of public amenities by a developer. The bonus system would have been processed under the

provisions of the site plan review process, Section 7503, which is a one hearing process before the Zoning Commission. There also would have been no minimum area requirement for a property to be filed before the Commission under the bonus provisions. The height and floor area ratio componentsof the bonus system were proposed to be the same as for the PUD process. In the course of the hearing and the further proceedings, the Commission determined not to go forward with a separate bonus section. Some of the concepts contained therein are appropriate for the planned unit development process.

C. The Commission has discussed the concept of reversionary zoning on many occassions. These discussions have primarily been engendered by zoning map change cases, wherein an applicant has requested zoning, and then proposed that the actual development to be constructed would be less, in some cases far less, than the maximum permitted by the zoning. The Commission does not have the authority to restrict the applicant in such a case to the actual development proposed; once the zoning is granted, the applicant may build on and use the property for any purpose permitted under that zoning. The PUD process, offers the only alternative relief to that situation since under the PUD process, the Commission may impose

specific development controls upon an applicant which are enforceable by covenant. The changes thus proposed and adopted for the PUD process were designed to allow for expansion of the use of the process to take into account the demand for more use of some kind of reversionary process.

Proposals for PUD Revisions

The Commission advertised public hearings to be held on March 30 and April 3, 10, and 17, 1978 to consider the entire 78-1 case. Due to reschedulings and adjournments, the hearings were actually held on March 30, April 3, 10 and 24 and May 1, 1978. The proposed amendments to the planned unit development process were primarily discussed on April 24, 1978, although there were other discussions of the related effects of PUD throughout the case. These hearings were advertised in the D.C. Register, the Washington Post and in the Washington Star on February 24, 1978.

The hearings were designed to consider the planned unit development process in general. The notice for the public hearing specifically states at the beginning:

> The Zoning Commission is holding these public hearings to consider several alternative proposals to amend the various Commercial Districts (C-4, C-3-B, C-3-A, C-2-B, C-2-A and C-1) as presently contained in the D.C. Zoning Regulations. The Commission will also consider proposals to create new commercial districts, as well as modify the planned unit development process and create a bouns system applicable to commercial districts. (Emphasis added).

The specific tables of height and floor area were proposed to be modified for the commercial, special purpose and mixed use district. However, the Commission did propose that all subjects relevant to the planned unit development process could come up for discussion.

The specific amendments to the planned unit development process set forth in the notice included two alternative proposals submitted by the Municipal Planning Office. The first alternative proposed the following changes:

1. Add "mixed use projects" to those kinds of projects specifically encouraged for PUD's.
2. Revise the tables of heights and floor area ratios to conform the limits contained therein to the proposals contained in the recommended bonus schedule.
3. Allow an additional 0.5 FAR for PUD's located in or adjacent to squares containing a Metrorail portal.
4. Revise the filing requirements to require more detailed information.
5. Delete the second Zoning Commission hearing process, and allow filing directly with the Board of Zoning Adjustment after one approval from the Zoning Commission.
6. Require pre-filing notice by the applicant to the ANC and other affected persons.

7. Establish the Municipal Planning Office as coordinator of the government agency review of PUD's.

The second alternative proposed by the Municipal Planning Office would provide for a single application, hearing and order process before the Board of Zoning Adjustment in the case of PUD's which do not require a change in the zoning map. Under this alternative, for cases requiring a map change, an application to the Zoning Commission would be made for the proposed map change, prior to the filing of a PUD application with the BZA. Also under this alternative, the Zoning Commission would promulgate guidelines and policies for planned unit developments for use by the Board of Zoning Adjustment.

The Commission heard extensive testimony at the hearings and also received additional information in the record concerning the planned unit development process. The Commission also held several open public work sessions at which it throughtly explored all of the elements of the planned unit development process, and openly discussed the issues raised at the hearing and in the record. Based on that discussion, and from the weight of the evidence before it, the Commission believes that it is appropriate to adopt amendments to the planned unit development process.

Goals of the Revised PUD Process

The planned unit development process as revised is designed to achieve the following major purposes:

1. Establish a process with the maximum degree of flexibility within the Zoning Commission's authority to promote a better physical environment in the District of Columbia. The Commission is committed to a process which will result in better planning and development of medium to large size properties in the city, encourge the maximum amount of creativeity in the design and use of new and existing buildings and allow for innovative approaches to development in the District of Columbia, all within the limits of the Commission's mandate to zone "not inconsistent with the comprehensive plan" and in furtherance of the "health, safety, morals, convenience, order, prosperity or general welfare".

2. Provide review of projects in a reasonable time frame. The planned unit development process must provide applicants with a response to their proposals in a reasonable time frame, if the development community is to be encouraged to use the process. The Commission believes that the regulations which establish the process must set forth a clear and unambiguous process, which can be administered by the Commission in a manner so as to attract people to use the process.

3. Contain reasonable standards for review. The process as revised and set forth by the Commission must contain reasonable standards against which particular planned unit development's can be judged. It is essential that all parties involved, including applicants and persons in support or opposition, know what is expected in the process, and know against what standards individual applications will measured. The process is designed primarily to achieve a higher quality of development than is possible under the matter-of-right zoning, while at the same time assuring adequate protection to existing or future conditions in the area which need to be enhanced.

4. Provide adequate public review. The Zoning Commission is absolutely committed to the concept of full and meaningful citizen participation in its deliberations. The Commission therefore believes that there must be adequate notice to potential affected persons of planned unit development cases, and all reasonable opportunity for involvement must be afforded to those who are affected by PUD applications, including the applicant and area residents as well.

5. Promote mixed uses. The Commission believes that in appropriate locations, the concept of mixed use development is one which should be encouraged in the District of Columbia. The concept has obvious benefits from both land utilization and transportation viewpoints. The Commission believes that the planned unit development process can be an extremely beneficial method of promoting new mixed use development in the District.

6. Achieve the District's goals on land use, transportation, housing, environment and historic preservation. The Mayor submitted to the City Council as part of the comprehensive planning process, a draft "Bill to establish Goals and Policies for the District of Columbia" proposed as the first District element of the Comprehensive Plan for the National Capital. The Council gave its first approval to the fill on July 25, 1978, and finally adopted it on September 19, 1978. The Mayor signed the bill on October 18, 1978, which is now waiting acting before the Congress and the National Capital Planning Commission. Many of the goals and policies are relevent to the Commission's general revision of the Regulations, and specifically to the revisions made to the PUD process. Attached hereto and made a part hereof are relevant excerpts from the Goals and Policies element. Specifically, the goals and policies

adopted by the Council include the following:

Sec. 302(A) To promote efficient and increased use of public transit and reduced automobile emissions and use throughout the city.

Sec. 302(B) To promote land uses that reduce the need for vehicular trips.

Sec. 452 (C) To promote the continued identification, preservation and use of culturally significant prehistoric and historic districts, sites, buildings, structures and objects.

Sec 602(B) To promote maintenance, conservation and improvement of the City's existing housing in a manner supporting social and economic diversity within neighborhoods.

Sec 702(A) To promote the conservation and improvement of residential neighborhoods for housing and other residentially related uses.

Sec 702(H) To provide the development, application and enforcement of adequate land use controls that reinforce and help carry out other land use policies.

Sec 802(C) To promote parking facilities that support and complement the community activities of the City with minimum undesirable impacts on adjacent areas.

The further explanation of these goals and policies, as set out

in the attachment, reinforces the decisions of the Commission in revising the PUD process.

Scope of Revisions Adopted by Order No. 251

Subsequent to the Zoning Commission's proposed action in adopting changes to the PUD Regulations, and prior to final action on those changes, the Zoning Commission received several objections to some of the changes, primarily based on the lack of adequate notice for some of the changes. The Commission requested and received the advise of the Corporation Counsel on that issue. On advise of counsel, the Commission has limited the effect of several of the changes which were originally proposed. First, the new minimum area requirement will apply only to C, SP and CR Districts. The minimum area requirements for R, C-M, M and W Districts remain unchanged. Second, the height, floor area ratio and lot occupancy standards for R, C-M, M and W Districts will not be amended, and will be left unchanged. These changes are not being adopted in Order No. 251 because of the legal question of notice. The Commission has directed that these proposed changes be properly scheduled and advertised for public hearing, in order to receive public comments on them.

Specific Regulations Adopted

In order to achieve the basic purposes outlined above, the Commission has adopted a new revised Section 7501, setting out the requirements for filing, processing and considering planned unit developments. The main features of the revised Regulations are generally as follows:

1. The minimum area requirements for a property to be considered as a PUD in a Commercial, SP or CR District, shall be 15,000 square feet, with no provisions for waiver below that level. The former minimum area requirement of three acres for most districts, one acre for the higher density districts and approximately one-half acre for Waterfront Districts, with the Commission able to waive the minimum area in appropriate circumstances, will be continued in residential, industrial and waterfront Districts. The Commission set the minimum area at 15,000 square feet to be able to include more potential property in the process, to allow for the process to be applied to smaller in-fill sites in already developed areas,and to allow the Commission to use the process to apply the reversionary zoning concept to zoning cases which might otherwise be considered as rezoning matters without the control added by the PUD process.

2. The process is a two step-process. An applicant is required to receive first and second stage approval from the Zoning Commission, with greater detail required after the first-stage approval is granted. The former process was a three-step process, requiring two approvals from the Zoning Commission and one from the Board of Zoning Adjustment. The Commission has eliminated the BZA review, which often was a duplication of materials already processed by the Zoning Commission.
3. The applicant may elect to have his project processed in a consolidated one-step review. The Commission must agree to such a request, and the applicant is required to file at the outset all of the material normally required for both the first and second stage review. The Commission has deleted the former one-step review process which applied only to C-3-B and C-4 Districts where no change of zoning was proposed, because it was too limited in effect.
4. Development guidelines regarding height, floor area ratios, lot occupancy, yards, courts, parking and loading are established. For height and FAR, the Commission set out tables of the height and floor area which were to be normal guidelines. In many cases, these guidelines are themselves higher than the

maximum permitted as a matter-of-right. In some cases, the guidelines enable property owners to achieve the height and/or floor area ratio which applied to the property prior to the changes adopted by the Commission as part of the revision to commercial, special purpose and mixed use districts. In all cases, the Commission can impose a height or density lower than that specified as the guideline. To exceed the guidelines in commercial, SP or CR Districts, the Regulations require that "the applicant shall have the burden of demonstrating and justifying the public benefits and other meritorious aspects of the proposal which will result" if the additional height or floor area is approved. It is the intention of the Zoning Commission to strictly apply the guidelines, and to exceed them only in exceptional circumstances where an applicant can demonstrate that the level requested is entirely appropriate and necessary for the project and will have a positive effect. As to lot occupancy, yards, courts, parking and loading, the guidelines specified are the normal requirements of the Regulations; the Commission, however, reserves the option to require greater or lesser standards "depending upon the exact circumstances of the particular project."

The intent of these proposals is to give the Commission the maximum flexibility within the Commission's authority, to enable the Commission to respond to creative and innovative proposals within the city and to be able to use the full measure of the Zoning Regulations to apply to cases brought under the process.

5. Pre-filing notice by the applicant is required. At least ten days before the filing of an application, the applicant must give notice of his intent to file to the Advisory Neighborhood Commission in which the property is located and to all property owners within 200 feet. This is required in order to give advance notice of the proposal to affected persons, to give them adequate time to respond to the proposals.
6. Filing requirements are explicit. The filing requirements for both the first and second stage applications have been oconsolidated to fit the new process.
7. Specific standards have been included throughout the process. The Commission has included in a lengthy preamble a statement of what the process is intended to do and the goals it is intended to achieve. An applicant is required to submit a statement as to how his project measures against the list of goals and objectives, and the Planning Office referral requirements further specify the standards against which a project will be judged.

8. The time limits for carrying out a project are specified. An applicant shall have one year from the date of approval of a first stage application to file the second stage. An applicant has two years to file for a building permit and three years to start construction after a second stage final approval. Failure to meet these two requirements results in the expiration of the approvals and the reversion of the zoning controls to the pre-existing conditions.

9. Minor modifications after final approval may be made by the Zoning Administrator. The Chief of the Zoning Regulations Division, Department of Housing and Community Development, has authority to approve modifications of up to two per cent in certain features and up to five feet in the relocation of a building. These modifications were formerly subject to the approval of the Board of Zoning Adjustment, which had authority to make changes of up to five per cent and could relocate a building anywhere within its lot lines.

10. Pending applications may be processed under the prior regulations. A planned unit development which was filed prior to the effective date of the revised regulations may continue to be processed under the old regulation. It may also be processed under the new regulations, at the option of the applicant with the approval of the Commission.

National Capital Planning Commission Review

The proposed text amendment was referred to the National Capital Planning Commission for the review required by Section 492(2) of the District of Columbia Self-Government and Governmental Reorganization Act. By letter dated December 11, 1978, the Executive Director of the Planning Commission reported that, at its meeting of December 7, 1978, the Planning Commission reported to the Commission that the proposed amendments will not have a negative impact on the interests or functions of the Federal Establishment within the National Capital.

CONCLUSION

The Zoning Commission believes that the planned unit development process required revision to meet the needs of potential applicants, interested and affected persons, the Zoning Commission and the District of Columbia as a whole. The Zoning Commission believes that it has fully explored the issues raised before it and that the weight of the entire record of the case supports the regulations which it has adopted. The Commission believes that the amendments, adopted by Order No. 251 are in the best interest of the District of Columbia as a whole and are consistent with the intent and purposes of the Zoning Regulations and the Zoning Act. For the reasons stated herein, the Zoning Commission therefore adopted Order No. 251.

WALTER B. LEWIS
Chairman

STEVEN E. SHER
Executive Director

This statement of reasons was adopted by the Zoning Commission at its public meeting held on February 8, 1979 by a vote of 4-0 (Ruby B. McZier, George M. White, Walter B. Lewis and Theodore F. Mariani to adopt, John G. Parsons not present, not voting).

Excerpts from Bill 2-237

"District of Columbia Comprehensive

Goals and Policies Act of 1978"

(Including Commentaries)

AIR QUALITY

SEC. 301. IT IS THE GOAL OF THE DISTRICT OF COLUMBIA TO ATTAIN AND MAINTAIN AIR QUALITY LEVELS SUPPORTING A SAFE, HEALTHY AND SATISFYING ENVIRONMENT IN ALL PARTS OF THE CITY.

Pursuant to the Clean Air Act Amendments of 1970, the United States Environmental Protection Agency has identified primary and secondary standards for six major air pollutants: carbon monoxide, nitrogen dioxide hydrocarbons, particulate matter, sulfur dioxide and photochemcial oxidents. Primary standards may be thought of as those that are necessary to protect human health and safety. Secondary standards may be thought of as those that are necessary to protect public welfare and support satisfying surroundings by preventing injury to plants, animals or property. The District has taken action to improve emissions from stationary sources and has been successful in decreasing concentrations of sulfur dioxides and particulate matter to below annual primary standards. However, concentrations of particulates and automobile-related pollutants such as carbon monoxide and photochemical oxidents (smog) continue to exceed primary standards in several areas of the city during periods of stagnant air movement. There is a continuing need to monitor ambient air quality to determine where and when national and local air quality standards are not being met. Efforts to improve air quality are directed by the Department of Environmental Services. Since motor vehicles are a major source of air pollution in the District of Columbia, the Departments of Transportation, Environmental Services, and the Municipal Planning Office must closely coordinate their plans, programs and policies to achieve this goal.

SEC. 302. THE POLICIES OF THE DISTRICT OF COLUMBIA TO IMPROVE AIR QUALITY SHALL BE:

(A) TO PROMOTE EFFICIENT AND INCREASED USE OF PUBLIC TRANSIT AND REDUCED AUTOMOBILE EMISSIONS AND USE THROUGOUT THE CITY.

Air quality affected by automobile use can be improved by greater use of transportation modes such as rapid rail, buses, taxis, carpools, vanpools, bicycling and walking. Much of the pollution is generated by rush-hour commuter automobile traffic and a majority of this is due to persons commuting to work either within, or from other jurisdictions into, the District. Continued and expanded efforts are needed to increase and promote the use of public transportation modes such as metrorail, express reserved bus lanes, other high occupancy lanes, feeder bus routes to metrorail and other measures. Disincentives to automobile use can be accomplished by such methods as the provision of public transportation which is more efficient than automobile use and the restriction of automobile use on some public rights-of-way. As adequate public transit becomes more available, stringent disincentives can be applied to automobile use in congested areas, particularly during peak-hour periods. There is a need for continued close coordination between those traffic restrictions developed for air quality purposes, traffic controls for the purposes of good traffic management and the need for adequate residential and retail parking.

(B) TO PROMOTE LAND USES THAT REDUCE THE NEED FOR VEHICULAR TRIPS.

Air quality in the District of Columbia is sensitive to land use decisions such as the location of activity centers and the management of parking.

Future development efforts should be encouraged to provide better and more protected access to public transportation, bikeways and pedestrian ways. Facilities for pedestrians and bicycles in both public and private developments are needed. The mixing of land uses which encourages walking to work, shopping, recreation and other facilities, and a higher use of public transportation, is desirable. Improved urban design can contribute to development of such uses and the visual clarity of their relationships.

(C) TO PROVIDE THROUGH REGULATION AND ENFORCEMENT CONTROL OF EMISSIONS FROM STATIONARY SOURCES WITHIN THE DISTRICT OF COLUMBIA AND TO PROMOTE CONTROL IN SURROUNDING JURISDICTIONS.

A portion of the pollution from stationary sources which affects the District originates outside the city. In turn, pollution from stationary sources in the city affects both the District and other jurisdictions. The District has adopted strict regulations for the control of pollution from stationary sources such as generating plants and incinerators, and from other sources such as construction sites and open burning. Enforcement of these regulations has significantly reduced such pollution. Control of emissions includes the regulation of sulfur content of permissable fuels, maintenance of controls on the operations of fuel-burning equipment and encouraging the use of energy sources which are less polluting. Increased reliance on coal as a heating and power-generating fuel might negatively impact air quality. Every effort should be made to ensure that emissions from stationary sources continue to meet Federal and local standards.

serve to promote a sense of community. Exhibits, films, and performances at neighborhood celebrations may deal with the place of the city, and the history, present condition and future plans of the community. Some events, such as the Capitol Hill Day at Eastern Market, the Hispanic Fiesta in Adams-Morgan, the Chinese New Year Parade and the Burleith Picnic, have become traditions. From a city-wide viewpoint such celebrations need encouragement.

(c) TO PROMOTE THE CONTINUED IDENTIFICATION, PRESERVATION AND USE OF CULTURALLY SIGNIFICANT PREHISTORIC AND HISTORIC DISTRICTS, SITES, BUILDINGS, STRUCTURES, AND OBJECTS.

The identification and preservation of the significant physical reminders of the city's past are joint responsibilities of several agencies of the District and Federal Governments working in cooperation with interested citizens and private, preservation-oriented groups. The official bodies involved in this effort include the Historic Preservation Officer for the District of Columbia, who is the Director of the Department of Housing and Community Development, and the Joint Committee on Landmarks of the National Capital, a nine-member expert citizen body jointly appointed by the Mayor and two federal agencies, the National Capital Planning Commission and the Commission of Fine Arts. The Joint Committee compiles and maintains an inventory of significant properties, serves as the professional review committee to review nominations to the National Register of Historic Places, and recommends to its sponsoring agencies programs for the preservation of significant properties. The District of Columbia's Inventory of Historic Sites presently contains some 350

listings which include individually designated Historic Landmark buildings, structures and objects as well as approximately 40 Historic Districts, such as LeDroit Park, Uniontown, Georgetown, and Capitol Hill, some of which contain thousands of buildings. The Inventory is incomplete, however, and within the next decade, the Historic preservation Officer and the Joint Committee on Landmarks, working in close cooperation with citizens, private preservation organizations, and neighborhood groups, want to: complete a comprehensive citywide survey, on both a geographic and thematic basis, for the purpose of identifying those locations that are significant to the District's historic, architectural, archeological and cultural heritage; secure the designation of the significant properties as Historic Landmarks and Historic Districts and their listing on the District of Columbia's Inventory of Historic Sites; and nominate those properties that meet the criteria to the National Register of Historic Places. The Fine Arts Commission, a Federal body, serves as the review agency to protect the architectural integuity of the historic Georgetown District in addition to its design review responsibilities in Federal areas of the capital. A number of other legal techniques already exist to assist in the preservation of significant properties. These include limited techniques that should be expanded within the next decade and new ones developed into a comprehensive preservation program which will enlist the support and financial backing of private individuals and groups, foundations, and financial institutions, as well as the District and Federal Governments in preserving important physical evidence of the District's rich history.

HOUSING AND COMMUNITY DEVELOPMENT

SEC. 601. IT IS THE GOAL OF THE DISTRICT OF COLUMBIA TO HAVE GOOD HOUSING AT AN AFFORDABLE COST FOR ALL DISTRICT RESIDENTS IN COMMUNITIES THAT HAVE ACCESS TO SERVICES, FACILITIES, AND OPPORTUNITIES TO MEET THE RESIDENTS' NEEDS.

The housing goal is a broad vision of what the city should aim to achieve through its housing policies and programs. It is intended to provide an overall thrust or direction for the city's housing efforts. The goal addresses both the need for housing and the importance of that housing being located in neighborhoods which have adequate public services, schools, shopping facilities, and other basic necessities of urban living. Good housing means housing which is structurally sound, safe, sanitary, uncrowded and is suitable to the household which occupies it. An affordable cost means a cost which a household can pay and still have sufficient funds available for adequate food, clothing, and other necessities. The Department of Housing and Community Development has the primary concern with this goal area.

SEC. 602. THE POLICIES OF THE DISTRICT OF COLUMBIA TO ACHIEVE GOOD HOUSING SHALL BE:

(A) TO PROMOTE AN ADEQUATE SUPPLY OF GOOD HOUSING THROUGHOUT THE CITY IN A PROPORTION THAT REFLECTS THE TYPES AND PRICES NEEDED BY ALL SEGMENTS OF THE CITY'S POPULATION.

The housing needs in the District are not restricted to any one population subgroup, but extended across all segments of the city's

population. In addition to the critical need for more standard units available to low and moderate income households, there is also a growing demand for upper income housing. The availability of newly constructed units for upper income households may tend to make more units available for other income groups because of the filtering process. At the same time the maximum number of new units which the City can obtain should be specifically targeted for low income residents. Other groups, for which housing should be specifically earmarked, include the elderly and the handicapped. Further, measures are needed to preserve the existing housing supply. Programs are needed which result in the upgrading of vacant and substandard units which would be available for a range of income groups. Coupled with the need for additional permanent housing is the need for more facilities which provide emergency shelter for those who are temporary homeless.

(B) TO PROMOTE MAINTENANCE, CONSERVATION, AND IMPROVEMENT OF THE CITY'S EXISTING HOUSING IN A MANNER SUPPORTING SOCIAL AND ECONOMIC DIVERSITY WITHIN NEIGHBORHOODS.

Keeping the existing housing stock in good condition is a critical factor in achieving city housing goals. In any given year new construction will amount to only a small fraction of the total existing stock. Therefore, programs which focus on maintaining and upgrading existing units are extremely important. The city has a considerable stock of structurally sound older housing units which can be rehabilitated to provided better quality housing for a range of income groups. A substantial rehabilitation movement is already taking place in the private sector. The District Government will further promote rehabilitation through loans and grants, self-help programs, and completing the renovation of existing government-held properties. These efforts should be designed and carried out so that lower income households occupying housing slated for rehabilitation have opportunities to remain in their neighborhoods. This will help maintain the cultural and economic diversity that currently exists

in many city neighborhoods. The city's Housing ~~Code sets~~ Regulations minimum standards for housing condition and occupancy. Systematic and even-handed enforcement of the Housing ~~Code~~ Regulations can be helpful in preserving existing structures. These regulations should be continuously reviewed and updated from time to time as needed. In some cases owners and landlords need financial assistance in order to properly maintain units. The city should consider expansion of programs which provide lower-interest loans for home improvements and outright grants for qualified low-income households. Actions which tend to decrease the housing supply should be strongly discouraged. The issuance of demolition permits for structurally sound residential buildings should be made only on assurances that specified historic preservation, financial, and alternative use criteria have been considered and met.

(C) TO PROVIDE A PRIORITY USE OF PUBLIC FUNDS FOR HOUSING TO INCREASE HOUSING FOR LOW-INCOME AND MODERATE-INCOME HOUSEHOLDS THROUGHOUT THE DISTRICT.

While the demand for upper income housing can usually be met by the private sector, the high cost of housing makes privately constructured new or rehabilitated housing prohibitively expensive for lower income groups. The public sector must try to fill this gap through direct action and the use of housing subsidy programs to the extent they are available. The need is many times the number of units being funded under current Federal programs. Waiting lists for subsidized developments are long and vacancies rarely occur. The city should work vigorously to make its housing needs known to the Federal Government in an effort to increase the level of Federal funding. At the same time efforts should be made to increase the

USE OF LAND RESOURCES

SEC. 701. IT IS THE GOAL OF THE DISTRICT OF COLUMBIA TO HAVE EFFICIENT USE OF LAND RESOURCES WITHIN LEGAL, ENVIRONMENTAL AND OTHER PUBLIC POLICY CONSTRAINTS TO MEET NEIGHBORHOOD, COMMUNITY AND CITY-WIDE NEEDS, AND HELP FOSTER OTHER CITY GOALS.

The distribution of land uses and their relationships to one another are fundamental determinants of the livability of the city. The existing patterns are the result of the complex interaction of a variety of social and economic forces regulated by controls enacted to protect the public interest. Since the land area of the District of Columbia is fixed, land uses must be allocated with care in order to meet a variety of demands and to avoid conflict among uses. Land use policies must consider Washington's unique combination of roles as the home of more than 700,000 people, as the center of growing metropolitan area, and as the Nation's Capital. Land use planning should coordinate proposals that meet the demands for space to accommodate activities and promote the accomplishment of other goals: by providing for such factors as the accommodation of housing needs; by balancing relationships between land use patterns and transportation activities; by providing suitable locations for social and economic activities; and by encouraging activities which contribute to environmental quality. The District Land Use Element of the Comprehensive Plan must address such factors. The Municipal Planning Office and the District of Columbia Zoning Commission have primary responsibilities in this goal area.

SEC. 702. THE POLICIES OF THE DISTRICT OF COLUMBIA TO ACHIEVE THE EFFICIENT USE OF LAND RESOURCES SHALL BE:

(A) TO PROMOTE THE CONSERVATION AND IMPROVEMENT OF RESIDENTIAL NEIGHBORHOODS FOR HOUSING AND OTHER RESIDENTIALLY-RELATED USES.

Housing occupies nearly one-quarter of the total land area of the city; it is the second largest general land use next to land in public rights-of-way. The city of Washington consists of a variety of neighborhoods, each with a set of social, economic, and physical conditions related in various ways to the rest of the city. Most are attractive and viable and should be conserved with minor improvements. Others are physically sound but need facilities such as shopping, services, utilities or other amenities to make them quality neighborhoods. Strategies for these areas should improve the neighborhoods' viable qualities and concentrate on meeting these needs. A few areas are physically deteriorated and presently may lack the economic and social resources to become viable. In this case strategies which offer a variety of programs are needed. In some areas of the city residential neighborhoods are being subjected to pressures for uses which may be incompatible with the present character and functions of the neighborhood. Such uses include certain inappropriate commercial, industrial, institutional, public or other uses which could substantially change and, in some cases, downgrade the residential qualities of the area. Ways must be found to mitigate these effects, to protect or buffer residential areas so they retain or regain their stability, and to balance development and conservation needs. Existing zoning regulations may need revision to assure the desired balance.

(B) TO PROMOTE APPROPRIATE COMMERCIAL, INDUSTRIAL AND RELATED DEVELOPMENT TO SERVE THE ECONOMIC NEEDS OF THE CITY AND ITS NEIGHBORHOODS.

Presently commercial and industrial development accounts for less than five percent of the city's total land area. There are pressing needs for neighborhood commercial facilities in some areas, for revitalization of the downtown area and for commercial and industrial development which will provide jobs for city residents and increased public revenues to the city. Both new and existing neighborhood commercial centers should benefit from programs to improve properties, strengthen the residential market area, introduce environmental amenities and control traffic and parking. The downtown area, especially the original downtown, may need changes in height limits and zoning to encourage a mixture of residential office, retail and entertainment uses needed to support a vital central area. Improvements in goods and services facilities, mass transit, pedestrian facilities and other amenities also have land use implications. The public investments in the Metro system can be partially recaptured by development around some Metro-stations. Where such development is appropriate higher population and floor area densities should be considered. The density requirements should be balanced with capacities of the Metro system and capacities of the area to sustain such development without adverse neighborhood impacts. The amount of industrially used land in the city is small; the city has lost major portions of employment, especially blue collar employment, in many commercial and industrial areas. Vacant land, vacant buildings and obsolescent facilities are often typical

(D) TO PROVIDE SUITABLE LOCATIONS FOR CHANCERIES AND INTERNATIONAL AGENCIES WHICH FACILITATE THEIR OPERATIONS IN HARMONY WITH THE PLANNED DEVELOPMENT AND NEEDS OF COMMERCIAL AND RESIDENTIAL AREAS.

In identifying locations for chanceries which are the offices of foreign governments accredited to the United States, certain needs and concerns must be taken into account. The locations must be suitable and the facilities must be adequate to the function. It is important that special care be taken to protect residential areas.

As far as possible, chanceries should be encouraged to locate in commercial and mixed use areas, rather than in residential areas.

Those that do locate in designated residential areas should be subject to appropriate reviews to avoid adverse neighborhood impacts. Those locations should be in accord with the zoning texts and maps of the District of Columbia adopted by the D.C. Zoning Commission, and should not be inconsistent with the Foreign Missions and International Agencies (Federal) Element of the Comprehensive Plan adopted by the National Capital Planning Commission. Such matters as landscaping, screening, off-street parking,

traffic circulation, environmental protection, and historic preservation should be examined to assure compatibility with the neighborhood. Appropriately, this is a function of the Board of Zoning Adjustment which receives reports from the Executive agencies with responsibility for such matters.

International agencies should be encouraged to locate in commercial and mixed use areas, preferably commercial areas in the central area of the District.

Embassies as the residences of the Ambassador as distinct from chanceries may locate in any areas where residential uses are permitted. Combined embassy/chanceries should be regulated as chanceries.

Close working relationships between the District's zoning authorities and the Department of State are essential to assure compliance with applicable zoning and building codes and to facilitate the enforcement of other relevant local laws.

(H) TO PROVIDE THE DEVELOPMENT, APPLICATION AND ENFORCEMENT OF ADEQUATE LAND USE CONTROLS THAT REINFORCE AND HELP CARRY OUT OTHER LAND USE POLICIES.

The primary land use control mechanism in Washington is zoning. The current zoning regulations were adopted in 1958. Since that time there have been numerous amendments to keep pace with changing activities in the city and with new control techniques. Once land use plans are formulated the adequacy of the existing regulations to achieve goals and carry out policies must be assessed under the Home Rule Act. As necessary, existing controls will be modified or new controls provided. Other controls such as subdivision regulations, building codes and housing regulations should also be reviewed periodically. There need to be more effective application and enforcement procedures to assure that the controls achieve objectives and that uses have no substantial adverse environmental or other effects. Revision of the zoning regulations is needed to provide for performance incentives and other innovative techniques such as mixed use. Urban renewal pla provide for a more specialized type of regulation in selected areas. These plans should be broadly and flexibly interpreted to meet current needs and opportuniti

(I) TO PROMOTE A BALANCE OF LAND USE ACTIVITIES WITH FACILITIES, UTILITIES, AND SERVICES NECESSARY TO SUPPORT THOSE ACTIVITIES.

The locations, intensities and configurations of land uses affect a variety of facilities and services in various ways. Transportation, waste collection, water supply and sewerage availability, gas and electric supplies, school capacities, recreation facilities, health and social service facilities, and energy utilities are among those impacted. Shopping, goods and service movements and emergency services should also be considered. The availability,

and effects on efficiency, of these facilities and services have implications for air quality, water use, sewage flows, noise levels, energy consumption, sanitation and solid waste, visual qualities, social well-being, economic performance, jobs availability, consumer satisfaction, public revenues and degrees of physical mobility within, to and out of the city. Development that necessitates the use of utilities such as natural gas and electric systems which draw on energy resources presently in short supply should be planned in energy conserving configurations. Planning for land use activities should strive for the best arrangements of the location, siting, configuration, and density of activities given the quality and quantity of facilities, services and utilities.

TITLE VII - TRANSPORTATION

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TRANSPORTATION OF PEOPLE

SEC. 801. IT IS THE GOAL OF THE DISTRICT OF COLUMBIA TO ASSURE THE MOVEMENT OF ALL RESIDENTS, WORKERS, AND VISITORS THROUGHOUT THE CITY TO SUPPORT THE EFFECTIVE FUNCTIONING OF ALL CITY ACTIVITIES.

The city's transportation system has to provide for the needs of its residents, for those individuals working within its boundaries, and for the numerous visitors to the Nation's Capital. Transportation plays a major role in the shaping of land uses, in energy consumption, and in the levels of air quality and noise in the District. The city is dependent on numerous modes of transportation. It is important that improvements be made in existing bus and taxi service. Increased emphasis should be given to bicycle transportation and pedestrian movements. Other types of transportation such as paratransit, retail vehicles, various sizes of bus and taxi vehicles, demand response and subscription bus services and shuttles should be investigated. An integrated network of transportation modes would provide efficient and assured service at the lowest cost possible for the greatest number of persons. These types of transportation should provide improved transit service to the people who need it more, the city's low income, elderly and handicapped residents and those in more remote or poorly served sections of the city. The District's Department of Transportation has major responsibilities in this area.

SEC. 802. THE POLICIES OF THE DISTRICT OF COLUMBIA TO ACHIEVE THE EFFECTIVE TRANSPORTATION OF PEOPLE SHALL BE:

(A) TO PROMOTE THE MAXIMUM POSSIBLE USE OF PUBLIC TRANSIT FOR TRIPS WITHIN THE CITY.

Increased public transit use would help alleviate many of the problems associated with automobile travel. Use of public tranportation is one of the most efficient means of conserving fuel and right-of-way space, abating air pollution, reducing noise and congestion, and serving residential and commercial activities. There are a number of modes of public transit in the city including intercity rail, commuter rail, rail rapid transit, intercity and intracity buses, taxis, vans and other paratransit vehicles, tour boats, and medical service vehicles. The number of non-car-owning households in the city has always been high and a large number of journeys to work and other activities are made by public transit. Ridership on the Metrorail system is substantial and ridership on Metrobuses has increased markedly over the last few years. Intercity rail and bus service facilities have recently been upgraded but their integration with intracity services is not complete. Taxis play a significant role in public transportation, but service to residential areas, especially to lower income neighborhoods or areas outside the central city is considered inadequate due to its irregularity, the refusal of drivers to enter some areas, and the long waits involved after requests for service. Jitneys, smaller special buses or vans, may be able to fill the gaps for various types of transit needs. Major waterways could also be

be considered for public transit to or around the city. The city will continue actions to improve the existing street system without the use of freeway facilities. Substantial funds allocated to construction of freeways have been, and will continue to be transferred for Metrorail construction. Additional funding sources and financing mechanisms are needed to alleviate Metrobus and Metrorail operating deficits. A permanent financing plan needs to be developed at the regional level to cover deficits. A regional tax program for this purpose should be sought. Completion of the full regional Metrorail system is vital to assure the District and the region adequate public transportation service. It is of particular importance to the District that the Greenbelt and Branch Avenue lines be constructed so that heavy rail or other adequate service to the entire region becomes available to the transit-dependent areas of Shaw, Northeast Washington, Anacostia and far Southeast. A curtailment of the system either within or outside the District would have adverse impacts for city areas depending on new stations. Many existing bus routes, and the services on those routes, are inadequate to meet the needs of major users of the system, forcing them to resort to private automobile transportation. Continued vitality of the bus system is required to serve those areas of the city adequately that will not be served by the Metrorail system, to provide essential feeder-bus linkages to Metrorail and to handle many regional journeys to work. The Metrorail system will significantly affect the vitality of the community, its economy, and the distributions of population, employment and land uses in the region.

(B) TO ENCOURAGE THE MOST EFFICIENT USE OF PRIVATE TRANSPORTATION.

Private transportation consists of such modes as walking, bicycling or use of automobiles. Vehicular traffic in the District continues to increase. Average week day vehicle miles of travel increased nearly fourteen percent between 1968 and 1975. The number of automobiles entering the downtown area during the morning peak hour increased nearly fifteen percent between 1968 and 1975. Encouraging more efficient uses of automobiles will provide improvements in air quality and reduce energy consumption, demands for major additional highway facilities, noise and traffic congestion. Various measures to encourage alternatives to the individual use of automobiles for peak hour commuting are available. These include: more accessible and efficient public transit; priority lanes and parking discounts for high occupancy car pools and van pools; proportionately higher rates and taxes for longer terms of parking; elimination of free or subsidized commuter parking; expansion of the residential parking permit program and stricter enforcement of traffic regulations. More efficient use of the existing street right-of-way system would encourage the use of high occupancy modes, and pedestrian and bicycle use. Additional transportation systems management techniques to increase occupancy rates, reduce trips and carry out operational improvements in existing facilities would include improved signal controls, pavement markings and signing, additional bus ways, regulation of turning, increased use of one-way street systems, auxiliary turning lanes, curb adjustments, bus loading bays, traffic diverters, channelization, (such as at Union Station) elimination of street parking on some major arteries and

improved emergency operations and the provision of emergency refuge areas. Bicycle movement into and throughout the city can be facilitated by construction or upgrading of facilities, separation of lanes (as in Rock Creek and on several bridges), improved parking and storage facilities (as in the West End CR Zone District and as planned for Metro-stops). Pedestrian movement in various areas can be enhanced by such facilities as Streets for People or other traffic-free areas, improved signalization (especially in downtown) grade separation where feasible, sidewalk treatments and improvements, special facilities for the handicapped and other improvements.

(c) TO PROMOTE PARKING FACILITIES THAT SUPPORT AND COMPLEMENT THE COMMUNITY ACTIVITIES OF THE CITY WITH MINIMUM UNDESIRABLE IMPACTS ON ADJACENT AREAS.

Parking problems include an excess of commuter parking spaces in the central area; undesirable impacts of on-street parking around sub-regional commercial areas such as Georgetown, Tenley, Friendship Heights and upper Georgia Avenue, and a lack of residential parking in a number of city residential areas. The total number of parking spaces downtown increased from 62,000 in 1968 to over 74,000 in 1973. Nearly half of these spaces (37,000) are in commercial and private garages, nearly 13,000 are Federal Government spaces, about 19,500 are in surface lots and 4,500 are in street parking spaces. An additional 78,000 spaces are located in the remainder of the central area; over 18,000 of these are Federal spaces. An urgent need exists for overall municipal and Federal programs to enhance city policies of support for mass transit, to improve air quality, to balance street

vehicular capacity with parking availability, to minimize congestion and to encourage economic vitality. A sound parking policy to achieve city transportation, air quality and economic development objectives would discourage long-term commuter parking except in conjunction with mass transit in selected locations, discourage present, subsidized commuter parking, encourage parking for carpools and van pools, and permit short-term parking for shopping, commercial deliveries, recreational, cultural and other uses where public transit is not available or is insufficient. Zoning and other regulatory measures should be adjusted to differentiate among parking users on behalf of the city's policies and programs in a variety of goal and policy areas. Measures to assure that public and private parking supply programs support city policy may include wider application of the residential parking permit program, establishment of maximum as well as minimum parking levels in the zoning regulations (with adjustments for area conditions including the availability of transit), strict enforcement of on-street parking regulations, elimination of such parking in areas where traffic is impeded significantly, and regulation of parking charges to reflect these objectives. Such approaches must be worked out in coordination with neighborhood organizations, affected businesses, the parking industry and District transportation, land use, energy and air quality agencies. Recent proposed improvements in the enforcement of parking and traffic procedures could have major favorable impacts, although their effectiveness may depend in part on the cooperation of other area jurisdictions. Improved parking and automobile licensing procedures and revision of zoning regulations could result in better traffic movement, improved conditions for economic growth in commercial areas,