



GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



PUBLIC SPACE APPLICATION REVIEW

DATE: April 12, 2010
TO: Public Space Committee
FROM: Josh Ghaffari, Office of Planning
SUBJECT: 1532 16th Street, NW - Flagpole

APPLICATION-IN-BRIEF

Applicant: Kurdistan Regional Government Center
Location: This site is located on the west side of 16th Street NW between P Street NW and Q Street NW. It is located in a DC/SP-1 zoning district. It is also located within the Sixteenth Street Historic District.
Proposal: The applicant is requesting to install two flagpoles in public space in an area adjacent to an office building.

BACKGROUND

The Office of Planning received the public space application for review on February 26, 2010.

BASIS OF REPORT

The Office of Planning (OP) has reviewed the application, considered existing site conditions, and completed research on the site to prepare this report. OP also referred to several policies in the Comprehensive Plan as part of completing this report. OP could not find any regulations governing flags for foreign countries:

COMPREHENSIVE PLAN

HP-2.5 Historic Landscapes and Open Space

More than almost any other feature, the exceptional width and openness of Washington's parks and streets define the basic character of the city. These spaces include the major monumental greenswards of the Mall, riverfront and street valley parks, and the green space of estates, cemeteries, and campuses. Tree-lined streets and landscaped front yards unite many historic neighborhoods, and there are small green oases scattered throughout the city. Some are public owned, and others are private. Many provide the setting for historic buildings, creating a balance between the natural and built environment that is a unifying feature of the city. Such settings should be protected and maintained as significant landscape in their own right or as contributing features of historic landmarks and districts.

Policy LU-2.2.1: Code Enforcement as a Tool for Neighborhood Conservation

Recognize the importance of consistent, effective, and comprehensive code enforcement to the

protection of residential neighborhoods. Housing, building, and zoning regulations must be strictly applied and enforced in all neighborhood of the city to prevent deteriorated, unsafe, and unhealthy conditions; reduce illegal activities; maintain the general level of residential use, densities, and height, and ensure that health and safety hazards are promptly corrected.

TITLE 24. PUBLIC SPACE AND SAFETY

24-703. DISPLAY OF THE FLAG

703.1 Where metal staffs for the display of flags are authorized by the Mayor to be placed in the public space in the District of Columbia, those staffs shall be placed and flags displayed only on Washington's Birthday, Memorial Day, Flag Day, the Fourth of July, Labor Day, and other days that the Mayor may from time to time designate.

TITLE 12A. BUILDING CODE - CHAPTER 31A. SPECIAL CONSTRUCTION

3107.7.5 Banner signs and flags. No banner sign or flag used for advertising purposes shall be erected, hung, attached, or affixed to any pole, staff, or other appurtenance, unless a permit for it has been issued, nor shall such banner, sign, flag extend over public space more than 42 inches (1067 mm), or be hung or maintained less than 18 feet (5486 mm) above the parking or sidewalk or 25 feet (7620 mm) above the roadway.

KEY ISSUES

The applicant is proposing two flagpoles as well as new paving and landscaping in public space. The application has been approved by the Historic Preservation Office. However, it is not in keeping with the intent of the District's public space regulations or building code.

Embassy buildings play an important role in defining the international identity of the District, in part by flying the flags of their countries. However the location of the proposed flag pole conflicts with the District regulations discouraging them in public space. Existing regulations support flag staffs attached to buildings with flags hanging into public space just beyond a property line. These regulations reinforce the overall principle that public space remains open and landscaped, and minimizing elements that imply the appropriation of public space as an extension of an adjacent private property. It also provides for a flag pole that allows the design of the flag to be seen at all times.

SUMMARY AND RECOMMENDATION

The District regulations clearly indicate that the preferred locations for flags in on private property or buildings and the applicant has not provided any justification as to why this cannot be done.

The Office of Planning recommends that this application be denied.