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Chairman Vincent C Gray  
at the request of the Mayor

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Vincent C Gray, at the request of the Mayor, introduced the following bill, which was referred to the Committee on \_\_\_\_\_

To amend the District of Columbia Comprehensive Plan Act of 1984 to correct technical errors and make revisions to reflect recent and significant policy changes that have occurred since the adoption of the 2006 Comprehensive Plan.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Comprehensive Plan Amendment Act of 2010".

Sec. 2. The District of Columbia Comprehensive Plan Act of 1994, effective April 10, 1984 (D.C. Law 5-76 (D.C. Official Code § 1-301.61 *et seq.* is amended as follows

(a) Section 3 (Title 10-A DCMR) is amended as set forth in the following table:

Chapter and page number	Policy or Action	New or existing element citation.	10A DCMR citation	Amended or new text (New or replacement language shown in underline. Repealed text shown in strikethrough).
LU- 3 Pg. 3-17	Policy	LU-1.3	306.6	Seven Great Streets were named in 2005.111 addition, two additional Great Streets were added for economic development planning purposes.
LU- 3 Pg. 3-10	Policy	LU-1.1.5	304.11	6. Center Leg Freeway Air Rights 7. Union Station Air Rights

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LU-3	Policy	LU-1.1.8	n/a	<p>Re-Knitting the City through Air Rights: Support the development of air rights over rail tracks and highways. In several parts of the central city, there is the potential to build over existing railway tracks and highways. These undeveloped "air rights" are the result of the interjection of massive transportation infrastructure after the establishment and development of the original city. The tracks and highways have created gaps in the historic urban fabric that have left large areas of the center city divided and difficult to traverse. With substantial investment, these sites represent opportunities for development of housing, retail and commercial buildings, and for the reconnection of neighborhoods and the street grid.</p> <p>Where possible, streets should be reconnected and air rights development should be constructed at and measured from grade level consistent with adjacent land. When development at grade level is not physically possible, air rights development should be measured from a point that provides for densities and height relatively commensurate with their zone district. Establishment of a measuring point for any particular air rights development should not be taken as a precedent for other development projects in the city. Densities and heights should be sensitive to the surrounding neighborhoods and developments, and be sufficient to induce the necessary investment needed for such construction.</p>
LU-3	Action	LU-1.1.0	n/a	<p>Development of Air Rights: Analyze the unique characteristics of the air rights development sites within the District. Determine appropriate zoning and means of measuring height for each unique site taking into consideration the ability to utilize zone densities, the size of the site, and the relationship of the potential development to the existing character of the surrounding areas.</p>

Chapter and page number	Policy or Action	New or existing element citation.	10A DCMR citation	Amended or new text (New or replacement language shown in underline. Repealed text shown in strikethrough).
LU-3 Pg 3-8	Policy	n/a	302.1	Ensure the efficient use of land resources to meet long-term neighborhood, citywide, and regional needs; to help foster other District goals; to protect the health, safety, and welfare of District residents, institutions, and businesses; to sustain, restore, or improve the character and stability of neighborhoods in all parts of the city; and to effectively balance the competing demands for land to support the many activities that take place within District boundaries. ....
LU-3 Pg 3-21	Action	LU-1.3.B	306.19	During the forthcoming revision to the zoning regulations, develop zoning language in areas surrounding transit stations and stops. The language should include provisions for mixed land uses, minimum and maximum densities (inclusive of density bonuses), parking maximums, and buffering and design standards that reflect the presence of transit facilities. Work with land owners, the DC Council, local ANCs, community organizations, WMATA, and the Zoning Commission to determine the stations where such a zone should be applied. The emphasis should be on stations that have the capacity to accommodate substantial increases in ridership and the potential to become pedestrian-oriented urban villages. Neighborhoods that meet these criteria and that would welcome a TOD overlay are the highest priority.
AW-2.1, pg 19-16	n/a	AW-2.1	1911.4	While the Plan provides important guidance, the specific development square footage and housing unit targets should be interpreted as illustrative as they were developed in 2003 under different market conditions. Final development plans for the Southwest Waterfront should respond to the guidance of the Plan, as well as new policies that support sustainable and compact development that is less dependent upon vehicular modes of transportation. Illustrative sketches in the Southwest Waterfront Plan envision some 800

Chapter and page number	Policy or Action	New or existing element citation.	10A DCMR citation	Amended or new text (New or replacement language shown in underline. Repealed text shown in strikethrough).
				new residences, a large hotel, and more than 500,080-square-feet-of retail, office, cultural, and civic uses.
AW-2.1 pg 19- 17	Policy	AW-2.1.1	1911.7	Support the redevelopment of the Southwest Waterfront with medium to high density housing, commercial, and cultural uses, and improved open space and parking. Although the Future Land Use Map shows high density development, it is expected that the project will capitalize on height opportunities at a medium development density in order to appropriately transition to the scale of surrounding neighborhoods. The development should also be designed to make the most of the waterfront location, preserving views and enhancing access to and along the shoreline.
T-4 Pg 4-29	Policy	T-2.5	411.9	
T-4 Pg 4-22	Action	T-2.2.F	408.15	and-to-replace-the- <del>Seutheast-Freewayt</del> : <del>region-and-the-Metrepelitan--Washingteft</del>
PROS-8	Policy	PROS-1.1.4	n/a	Sermeelel-transeeftatien-plan, Develop a coherent identity for mini-parks through a coordinated approach to management among the various government a <sup>g</sup> encies that can define the role of mini- parks in the larger park system, help the agencies manage them more efficiently. and promote system-wide investment of resources.
PROS-8	Action	PROS-3.3.B	n/a	Develop a shared database of small parks, as defined by the CapitalSpa.ce Draft Plan, to inform coordination efforts between agencies and with the public, including data on: ownershi <sup>p</sup> , size, location, function, level of use, historic or cultural value, commemorative elements, programs and condition. Assess existing a <sup>g</sup> enc <sup>y</sup> jurisdiction for certain small parks to ensure that each <sup>p</sup> arcel is managed effectivel <sup>y</sup> to meet District and/or federal

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				objectives and clarify responsibilities of the managing agencies.
PROS-8	Policy	PROS-3.3.3	n/a	Prioritize improvements of small park and mini-park clusters in areas with limited access to parks and open space and a growing population. Apply common themes such as sustainability, place-making or connectivity to plan, enhance and maintain the small parks as a system.
PROS-8	Action	PROS-2.2.F	n/a	Better integrate federal and District athletic fields under the jurisdictions of NPS, DPR and DCPS.
EDU-12 Pg 12-4	N/A	EDU 1.0 Insert on page 12-4	1202.4	The District of Columbia Public Education Reform Amendment Act of 2007 created a new and re-organized structure of educational leadership. Direct Mayoral control over DCPS as a cabinet-level agency was created. The Mayor appointed a Deputy Mayor for Education to support in developing and implementing the education reform vision. In addition, the Mayor appointed a Chancellor to oversee day-to-day operations of DCPS, including academic improvement/student performance, hiring, etc. The Office of the State Superintendent of Education ( OSSE ) requests, distributes and monitors the use of federal grant monies, sets state policy and regulations and supports and advises the DC State Board of Education. The DC State Board of Education is responsible for advising OSSE on educational matters, including: state standards; state policies, including those governing special academic, vocational, charter and other schools; state objectives; and state regulations proposed by the Mayor or the State Superintendent of Education. The Office of Public Education Facilities Modernization (OPEFM) oversees the maintenance, construction and modernization of all DCPS facilities. All Public Charter Schools receive authority and oversight from the DC Public Charter School Board.

Chapter and page number	Policy or Action	New or existing element citation.	10A DCMR citation	Amended or new text (New or replacement language shown in underline. Repealed text shown in strikethrough).
CH-15	Policy	CH-2.2.7	n/a	Promote continued investment and redevelopment of Hine Junior High School, an important community public facility, which was closed in Summer 2008. Adaptive re-use of this facility and redevelopment of the site should complement the adjacent neighborhood.
CH-15 Pg 15- 23	Policy	CH-2.1.7	1511.12	<del>The allowable height of any building from the existing grade of Street A or 14<sup>th</sup> Street NE rather than from the existing</del>
CH-15 Pg 15- 21	n/a	n/a	1510.4	Policy Focus Areas Map legend for the H Street/Benning Road focus area should be changed to pink.
CW-16 Pg 16- 12	Policy	CW - Planning & development priorities	1607.2	h. The expansion of development and redevelopment around the Mall should begin to diminish these distinctions, and provide more amenities closer to the Mall.
CW-16 Pg 16- 29	Policy	CW-2.2.2	1612.7	Promote the area bounded by 6th Street, 14th Street, F Street, and Pennsylvania Avenue as an internationally recognized theater district, capitalizing on the presence of existing theaters like the National, Warner, Ford's, Woolly Mammoth, and the Shakespeare's Lansburgh Theater—and new theaters such as the Sidney Harman Center and the Washington Stage Guild. Marketing, promotion, signage, and special programs should be used to "brand" the area as the region's top performing arts center. Complementary evening uses such as restaurants should be encouraged in this area.
CW-16 Pg 16- 44	Action	CW-2.8.E	n/a	Because of the Union Station Air Rights' uniquely diverse surroundings - including rowhouses, historic landmarks and dense office development - and its potential to spur other investment in the neighborhood, implement a process that ensures public participation in the review of any development application for that site.
FNS-17 Pg 17- 20	Policy	FNS-2.3.2	1713.5	Improve the commercial area along Dix Street, NE between 61st St. NE and Eastern Avenue, NE, encouraging new retail businesses and services that benefit the adjacent community.

Chapter and page number	Policy or Action	New or existing element citation.	10A DCMR citation	Amended or new text (New or replacement language shown in underline. Repealed text shown in strikethrough).
FSS-18 Pg 18- 20	Policy	FNS-2.2.4	1812.7	<u>Provide development densities and intensities on the site that are compatible with adjacent residential neighborhoods—with moderate to medium density residential and commercial on most of the site. Areas for high density should include the North Campus subarea and the area surrounding the ravine to take advantage of the steep topography to accommodate additional height and density without negatively impacting view sheds.</u>
FSS-18	Policy	FSS-2.2.5	&a	<u>Leveraging Neighborhood Economic Development: Leverage the location of the Department of Homeland Security on the West Campus and a portion of the East Campus to bring needed economic development opportunities to Ward 8, especially retail opportunities to serve both the new daytime and existing residential populations.</u>
AW-19 Pg 19- 10	Policy	AW-1.1.2	1908.3	<u>Create new mixed use neighborhoods on vacant or underutilized waterfront lands, particularly on large contiguous publicly-owned waterfront sites. Within the Lower Anacostia Waterfront/Near Southwest Planning Area, new neighborhoods should be developed at the Southwest Waterfront, Buzzard Point, Poplar Point, Southeast Federal Center and Canonsburg areas. These neighborhoods should be linked to new neighborhoods upriver at Reservation 13r Peplar-Point, and Kenilworth-Parkside. A substantial amount of new housing and commercial space should be developed in these areas, reaching households of all incomes, types, sizes, and needs.</u>
MC-20 Pg 20- 19	Action	MC-2.1.B	2011.10	<u>This should include not only the planned Howard Town Center site (with housing, retail, and structured parking), but additional medium- high density housing development, civic space, cultural Facilities and public open space on surrounding sites.</u>
RCE-22 Pg 22- 26	Policy	RCE-2.4	2214.3	<u>The diverse population in the Brightwood area provides an opportunity to bolster the tenant mix and attract new mixed use development.</u>

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				Because of existing services, such as the newly built Hattie B. Holmes Senior Wellness Center at the 300 block of Kennedy, new mixed use development, with street activated uses and mixed income housing above will catalyze revitalization along the corridor.
RCE-22 Pg 22- 27	Policy	RCE-2.4.2	2214.5	Encourage moderate density mixed use projects along Kennedy Street, including mixed income housing to serve all generations of residents in the neighborhood.
UNE-24 Pg 24- 27	Policy	UNE-2.6.2	2416.4	By improving pedestrian connectivity between the Brookland/CUA Metro station neighborhood destinations and residential areas can be achieved through improving streetscapes and safety and by re-establishing the fabric and grid of streets and blocks wherever possible.
UNE-24	Policy	UNE-2.8.3	n/a	Bicycle Access and Connectivity: Enhance safe and convenient access to, through, and between the Metropolitan Branch Trail, Brookland/CUA Metro Station area, 12th Street NE, and other neighborhood destinations through improved facilities, signage and on-street infrastructure.
UNE-24	Action	UNE-2.6.B	n/a	implementation of car sharing programs in new development so that it addresses the transit and pedestrian orientation and the need for more parking to serve area businesses and residents and prevent spillover into the surrounding low density neighborhoods.
UNE-24 Pg 24- 19	Action	UNE-2.1.0	2411.11	A high priority should be given to the rehabilitation of the historic Crummell School with a mix of uses for community benefit such as workforce/affordable housing, job training, or meeting space. Crummell School was built in 1911 and educated African-American school children from that time until 1972. The structure — which is a designated historic landmark — has been vacant for more than 30 years.

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2 (b) The District of Columbia Comprehensive Plan General Policy and Future Land Use  
3 Maps, as approved by the Council through the Comprehensive Plan Amendment Act of 2006 are  
4 amended as shown in submitted by the Mayor to the Council on July 14, 2006.

5 (c) Section 7 (D.C. Official Code § 1-306.02) is amended by adding a new subsection (e)  
6 to read as follows:

7 "(e)(1) The Mayor shall transmit 2 generalized maps -- a Future Land Use Map and a  
8 Generalized Policy Map --to the Council within 90 days after the effective date of the.  
9 Comprehensive Plan Amendment Act of 2010.

10 "(2) The maps transmitted under this section shall:

11 "(A) Conform to the requirements of sections 223 and 224 of Chapter 200  
12 ("the Framework Element") of the Comprehensive Plan;

13 "(B) Be printed at a scale of 1,500 feet to 1 inch;

14 "(C) Use standardized colors for planning maps;

15 "(D) Indicate generalized land use policies; and

16 "(E) Include a street grid and other changes in format or design to improve  
17 the readability and understanding of the adopted policies.

18 "(3)(A) The Council shall hold a public hearing to determine if the maps  
19 transmitted under this section conform to the maps adopted under sections 223 and 224 of the  
20 Framework Element of the Comprehensive Plan, as required by paragraph 2 of this subsection. If  
21 the Council determines that a map transmitted under this section conforms as required, the  
22 Council shall approve the map by resolution.

1                   "(B) If the Council determines that a map transmitted under this section does not  
2 conform as required by paragraph 2 of this section but requires corrections to conform, the  
3 Council shall approve the map by resolution, identifying the required corrections, and the Mayor  
4 shall publish a new map with the required corrections."  
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6   Sec. 3. Fiscal impact statement.

7                   The Council adopts the fiscal impact statement in the committee report as the fiscal  
8 impact statement required by section 602(0)(3) of the District of Columbia Home Rule Act,  
9 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

10   Sec. 5. Effective date.

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12                   (a) This act shall take effect following approval by the Mayor (or in the event of veto by  
13 the Mayor, action by the Council to override the veto), a 30-day period of Congressional review  
14 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
15 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
16 Columbia Register.

17                   (b) No District element of the Comprehensive Plan for the National Capital shall take  
18 effect until it has been reviewed by the National Capital Planning Commission as provided in  
19 section 2(a) of the National Capital Planning Act of 1952, as amended by section 203 of the  
20 District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 779; D.C. Official  
21 Code § 2-1002(a)) and section 423 of the District of Columbia Home Rule Act, approved 24,  
22 1973 (87 Stat. 792; D.C. Code § 1-204.23).