

ZRR Case Study in Bad Planning: Comparing the American Institute of Certified Planners (AICP) Code of Ethics and Professional Conduct with the DC Office of Planning's Proposal to Triple the Area known as Downtown D.C.

Currently there exists a Downtown Development Overlay (DD Overlay) in the DC zoning regulations.

The DD Overlay includes the area between Vermont and K Streets NW, east and south to Pennsylvania Ave and 15th Streets NW.

Defining aspects of the current Downtown zoning district include:

- DD Overlay Development projects can maximize height and density, with many buildings reaching up to 10 to 13 stories high and consisting of a footprint at nearly 100% lot occupancy with no required front, side, or rear yards.
- Development projects within this area are also exempted by the DC's affordable housing requirements, meaning downtown development projects are not creating any new affordable housing units right now unless through significant government subsidy.
- Development projects in the Downtown Zone allows a smaller ratio of on-site parking units to be built with the project versus what is otherwise required by other projects outside of downtown.

During the Zoning Regulations Rewrite process (ZRR), DC Office of Planning staffers Jennifer Steingasser and Joel Lawson have proposed to triple the area size of downtown and expand the boundaries of the existing "DD Overlay" to a new "Proposed Expanded Downtown Zone." *See Attachment 1.*

The proposal to expand downtown is being offered by OP with little analysis of the myriad of adverse impacts this idea represents.

If downtown is expanded further west, east and south, you will see a further reduction in affordable housing options in this area, there will be steady commercialization of the residential districts in this newly expanded downtown, there will be a decrease in the availability of on-street parking and increase overall vehicular congestion, and there will be a much greater area of DC land where huge buildings can be constructed.

Further, bigger buildings mean more offices, restaurants, bars and more impacts to the underlying public infrastructure like sewer/water/gas/electric. Bigger buildings and a bigger downtown attracts bigger crowds and daily commuters and bigger use. Does WMATA have the capacity to serve this major planning idea and perhaps final rulemaking?

Bad Planning

- There are no known inter-related transportation models which were conducted by OP to

determine if the downtown expansion proposal is even viable given the limited capacities of Metro trains and buses and costs associated therein.

- There are no known long range studies on the environmental pollution impacts, water-use impacts, pedestrian safety impacts, and other real impacts that an expanded downtown will bring.
- There are no known reports showing how this proposal will affect the daily quality of life for those residents who already live in what may become the newly expanded downtown area.

Obvious Questions

Why is it acceptable for OP to push to expand downtown when they know it does not seek social justice needs like more affordable housing?

Why has this proposal been flown largely under the radar, with almost no one in the public being provided timely and clear information about this downtown expansion idea and its adverse impacts?

Why is OP seeking to change the zoning regulations to triple the area of downtown without real-world study and science to substantiate this proposal? Without these studies, proposals like the expansion of downtown are not getting the special attention they deserve in order to protect the public interest.

The ZRR Fails Basic Planning Protocols

Comparing OP's proposal to expand the "Downtown Zone" to the best ethical practices and protocols of the American Institute of Planning, one can easily observe how badly the ZRR process is failing the residents of the DC. *See Attachment 2.*

*Reference Sinkholes, Methane Leaks, Failing Bridges in and around Downtown DC.

The ZRR Fails DC Law

Proposed amendments to the DC zoning regulations are supposed to follow implementation policies in the DC Comprehensive Plan, but more importantly it is match the purpose of DC Code § 6-641.02. Zoning regulations – Purpose. <http://dccode.org/simple/sections/6-641.02.html>

The Office of Planning has not demonstrated any science or data on the record showing that their philosophical ideas and opinions comport with, and don't actually challenge, DC Code § 6-641.02. Ideas, without supporting evidence, are merely opinions on how to change the future of the City, and OP's opinions are fundamentally based on the superficial philosophies of "smart-growth" proponents.

Conclusion

The ZRR as being conducted by the Office of Planning currently acts against DC Law, the law which requires OP to prove their ideas won't adversely affect DC residents and neighborhoods. They have not done that and therefore the ZRR process is arbitrary and capricious.