

RE-ENROLLED ORIGINAL

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Comprehensive Plan for the National Capital: District Elements of 2006 to reflect revised policies, actions, and determinations and to update the maps accordingly; to amend the District of Columbia Comprehensive Plan Act of 1984 to require the Mayor to transmit 2 maps to the Council for approval and to publish the Comprehensive Plan; to amend the District of Columbia Comprehensive Plan Act of 1984 Land Use Element Amendment Act of 1984 to require the Mayor to propose amendments to the zoning regulations or maps to eliminate any inconsistency of the zoning regulations with the Land Use Element of the Comprehensive Plan within 16 months of the effective date of this act; to provide that the text, maps, and graphics of the District elements of the Comprehensive Plan for the National Capital need not be published in the District of Columbia Register to become effective; and to provide that no element of the Comprehensive Plan for the National Capital shall take effect until it has been reviewed by the National Capital Planning Commission.

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”.

TITLE I. COMPREHENSIVE PLAN

Sec. 101. Pursuant to the District of Columbia Comprehensive Plan Act of 1984, effective April 10, 1984 (D.C. Law 5-76; D.C. Official Code § 1-306.01 *et seq.*), the Comprehensive Plan for the National Capital: District Elements of 2006, effective March 8, 2007 (10 DCMR A300 through A2520) (“Comprehensive Plan”), is amended as follows:

(a) Chapter 3 (10 DCMR A300 through A318.11) (Land Use Element) is amended as follows:

(1) Section 302.1 is amended to read as follows:

“302.1 The Land Use Goal is:

“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.”.

(2) Section 304.11 is amended to read as follows:

“304.11 Policy LU-1.1.5: Urban Mixed Use Neighborhoods

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“Encourage new central city mixed-use neighborhoods combining high-density residential, office, retail, cultural, and open space uses in the following areas:

- “1. Mt. Vernon Triangle;
- “2. North of Massachusetts Avenue (NoMA);
- “3. Downtown East;
- “4. South Capitol Street corridor/Stadium area;
- “5. Near Southeast/Navy Yard;
- “6. Center Leg Freeway air rights; and
- “7. Union Station air rights.”.

“The location of these areas is shown in the Central Washington and Lower Anacostia Waterfront/Near Southwest Area Elements. Land use regulations and design standards for these areas should ensure that they are developed as attractive pedestrian-oriented neighborhoods, with high-quality architecture and public spaces. Housing, including affordable housing, is particularly encouraged and should be a vital component of the future land-use mix.”.

(3) A new section 304.13a is added to read as follows:

“304.13a Policy LU-1.1.8 Reconnecting 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.

“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 should be measured by a means that provides for density and height commensurate with the zone district. Establishment of a measuring point for any particular air-rights development shall be consistent with An Act To regulate the height of buildings in the District of Columbia, approved June 1, 1910 (36 Stat. 452; D.C. Official Code § 6-601.01 *et seq.*) (“Height Act”), and should not be taken as 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 investment needed for such construction.”.

(4) A new section 304.16 is added to read as follows:

“304.16 Action LU-1.1.C: 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 consistent with the Height Act, 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.”.

(5) A new section 305.15 is added to read as follows:

“305.15 Action LU-1.2.B Encouraging Livability of Former Federal Lands

“When land is identified to shift from federal to private or local use, develop planning and zoning

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approaches that provide for, as appropriate, the reconstruction of historic rights-of-way and reservations, integration of the sites into the adjoining neighborhoods, and the enhancement of special characteristics or opportunities of the sites. Encourage cultural, residential, and retail to ensure mixed-use neighborhoods, even if designated as high-density commercial on the District of Columbia Comprehensive Plan Future Land Use Map; coordinate with the National Capital Planning Commission, as appropriate.”.

(6) Section 306.6 is amended to read as follows:

“306.6 While transit-oriented development is most commonly thought of as a strategy for Metrorail station areas, it is also applicable to premium transit corridors and the city’s “Great Streets.” Seven corridors are designated Great Streets as part of an integrated economic development, transportation, and urban design strategy. The location of these streets is shown in Map 3.5. While not officially designated, four other corridors—Rhode Island Avenue, North/South Capitol Streets, Lower 14th Street, and Bladensburg Road—are also shown on the map to recognize their potential for enhancement.”.

(7) Section 306.19 is amended to read as follows:

“306.19 Action LU-1.3.B: TOD Overlay Zone

“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 Council of the District of Columbia, 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.”.

(8) Section 311.8 is amended to read as follows:

“311.8 Policy LU-2.3.6: Places of Worship and other Religious Facilities

“Recognize places of worship and other religious facilities as an ongoing, important part of the fabric of the city’s neighborhoods. Work proactively with the faith-based community, residents, ANCs, and neighborhood groups to address issues associated with these facilities’ transportation needs, operations, and expansion, so that existing and new religious facilities may be sustained as neighborhood anchors and a source of spiritual guidance for District residents. Recognize also that places of worship or religious assembly, and some other religious facilities or institutions, are accorded important federal constitutional and statutory protections under the First Amendment (U.S. Const. Amend. I) and the Religious Land Use and Institutionalized Persons Act of 2000, approved September 22, 2000 (114 Stat. 803; 42 U.S.C. 2000cc).”.

(9) A new section 309.18a is added to read as follows:

“309.18a Policy LU-2.1.14: Planned Unit Developments in Neighborhood Commercial Corridors

“Consider modifying minimum lot size and other filing and procedural (but not height and density) requirements for Planned Unit Developments (PUDs) for neighborhood commercial areas for the purpose of allowing small property owners to participate in projects that encourage high quality developments and provide public benefits.”.

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(10) Section 313.1 is amended to read as follows:

“313.1 This section of the Land Use Element addresses five specific activities that require a greater level of direction than can be covered in the “Neighborhood” policies listed and described in the previous sections. These activities are an essential part of the District of Columbia and are vital to the city’s future. Each of these uses presents a unique set of challenges and land use compatibility issues. They include:

“(a) Public Works and Industrial Uses, which are essential to government operations and the local economy, but also create external impacts and face displacement for higher value land uses;

“(b) Institutional Uses, including places of worship and other religious facilities, that seek vacant land or developed properties for expansion, but where expansion is limited because the properties are hemmed in by adjacent neighborhoods;

“(c) Foreign Missions, namely the chanceries and embassies of foreign governments, which seek to locate or expand in some of the city’s most desirable neighborhoods;

“(d) Group Homes, Community Based Residential Facilities, and Supportive Housing, which provide for the essential housing and socialization needs of thousands of District residents but may end up concentrated in particular parts of the city; and

“(e) Federal Facilities, which often operate in immediate proximity to residential neighborhoods, creating the need for sensitive planning as these uses expand, contract, and implement new security measures.”.

(11) Section 315.1 is amended to read as follows:

“315.1 Institutional uses occupy almost 2,300 acres—an area larger than all of the city’s retail, office, and hotel uses combined. These uses include colleges and universities, private schools, child care facilities, places of worship and other religious facilities, hospitals, private and nonprofit organizations, and similar entities.”.

(b) Chapter 4 (10 DCMR A400 through A420) (Transportation Element) is amended as follows:

(1) Section 403.8 is amended to read as follows:

“403.8 Policy T-1.1.2: Land Use Impact Assessment

“Assess the transportation impacts of development projects using multi-modal standards rather than traditional vehicle standards to more accurately measure and more effectively mitigate development impacts on the transportation network. Environmental and climate change impacts, including that of carbon dioxide, should be included in the assessment to land use impacts.”.

(2) Section 403.14 is amended to read as follows:

“403.14 Action T-1.1.B: Transportation Improvements

“Require transportation demand management measures and transportation support facilities, such as crosswalks, bus shelters, transit resource and information kiosks, and bicycle facilities in large development projects and major trip generators, including projects that go through the Planned Unit Development (PUD) Process.”.

(3) Section 407.18 is amended to read as follows:

“407.18 Policy T-2.1.2: Bus Transit Improvements

“Enhance bus transit service by implementing Information Technology Systems (ITS) to improve scheduling and reliability, providing timed transfers, reducing travel time, providing relief for

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overcrowding, increasing frequency and service hours, and improving both local access and cross-town connections.”.

(4) A new section 407.22a is added to read as follows:

“407.22a Policy T-2.1.5: District Streetcar System

“Expand transit options for District residents by developing a citywide streetcar system. Create a streetcar network that will connect neighborhoods and key destinations, and create walkable, amenity-rich, and diverse communities along streetcar routes. Explore various value-capture strategies to obtain private and other financial support for the construction and ongoing operation of streetcars.”.

(5) Section 407.23 is amended to read as follows:

“407.23 Action T-2.1-A: New Streetcar or Bus Rapid Transit Lines

“Develop transportation and land use plans to construct a network of new premium transit infrastructure, including bus rapid transit (BRT) and streetcar lines to provide travel options, better connect the city, improve surface-level public transportation, and stimulate economic development. As needed, replace existing travel and parking lanes along selected major corridors with new transit services, such as the streetcar, BRT, and DC Circulator, to improve mobility within the city.”.

(6) New sections 407.30 and 407.31 are added to read as follows:

“407.30 Action T-2.1.H Transit Amenities

“Seek opportunities to dedicate space in the right-of-way for surface transit amenities, such as bus stops, signage, and shelters. Follow best practices in bus-stop siting (most often on the far side of an intersection) yet evaluate each case on an individual basis. Consider opportunities for enhanced stops and amenities with large-scale developments and redevelopments.

“407.31 Action T-2.1.I Performance Measures

“Develop, apply, and report on transit performance measures to identify strengths, deficiencies, and potential improvements and to support the development of new and innovative facilities and programs.”.

(7) Section 408.10 is amended to read as follows:

“408.10 Action T-2.2.A: Intermodal Centers

“Plan, fund, and implement the development of intermodal centers both at the periphery of the city and closer to Downtown. These intermodal centers should provide a so-called “park-once service,” where travelers, including operators of tour buses, can park their vehicles in one location and then travel efficiently and safely around the District by other modes of travel. The intermodal centers surrounding the District’s downtown should be located at Union Station, the Kennedy Center, and Banneker Overlook, and other locations that support parking for motor vehicles, including tour buses.”.

(8) Section 408.11 is amended to read as follows:

“408.11 Action T-2.2.B: Pedestrian Connections

“Work in concert with WMATA to undertake pedestrian capacity and connection improvements at selected transit stations and stops and at major transfer facilities to enhance pedestrian flow, efficiency, and operations.”.

(9) Section 408.12 is amended to read as follows:

“408.12 Action T-2.2.C: Bicycle and Car-Pool Parking

“Increase investment in bicycle parking and provide more visible parking for car-sharing operations at Metrorail stations, key transit stops, and future streetcar stations.”.

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(10) Section 408.14 is amended to read as follows:

“408.14 Action T-2.2.E: Bus Connections

“Promote cross-town transit services and new transit routes that connect neighborhoods to one another and to transit stations and stops.”.

(11) Section 408.15 is amended to read as follows:

“408.15 Action T-2.2.F: Commuter Bus Management Initiative

“Implement the recommendations of the DDOT Tour Bus Management Initiative, prepared to ameliorate long-standing problems associated with tour bus parking, roaming, and idling around the city’s major visitor attractions.”.

(12) Section 409.9 is amended to read as follows:

“409.9 Policy T-2.3.2: Bicycle Network

“Provide and maintain a safe, direct, and comprehensive bicycle network connecting neighborhoods, employment locations, public facilities, transit stations, parks, and other key destinations. Eliminate system gaps to provide continuous bicycle facilities. Increase dedicated bike-use infrastructure, such as bike-sharing programs like Capital Bikeshare, and identify bike boulevards or bike-only rights of way.”.

(13) A new section 409.14 is added to read as follows:

“409.14 Action T-2.3.D: Bicycle Sharing

“Support the expansion of bicycle sharing kiosks throughout the District to develop a complete bicycle-sharing network and encourage bicycling.”.

(14) Section 410.10 is amended to read as follows:

“410.10 Action T-2.4.B: Sidewalks

“Install sidewalks on streets throughout the District to improve pedestrian safety, access, and connectivity. Continue to monitor the sidewalk network for needed improvements. Consult with ANCs and community organizations as plans for sidewalk construction are developed. All sidewalks shall be constructed in conformance with the Americans with Disabilities Act Accessibility Guidelines.”.

(15) A new section 410.13 is added to read as follows:

“410.13 Action T-2.4.E: Pedestrian Master Plan

“Implement the recommendations of the Pedestrian Master Plan to improve accessibility, connectivity, and safety for pedestrians throughout the District.”.

(16) Section 411.9 is amended to read as follows:

“411.9 As the District is a densely developed city with an historic built environment, the city does not foresee making significant investments in road widening to accommodate more autos. Instead, the District will continue to manage existing roadway resources and provide for viable transportation choices throughout the city. Some of the roadway and bridge investments the city is planning to make within the next five to eight years include:

“(a) Rehabilitating the existing Frederick Douglass Memorial Bridge through structural steel repairs, lighting improvements, and preventive maintenance;

“(b) Creating a traffic circle at the intersection of Potomac Avenue and South Capitol Street;

“(c) Extending Potomac Avenue to 2nd Street SE on the east and to Fort McNair on the west;

“(d) Reconfiguring the underpass arrangement at the intersection of M and South Capitol Streets;

“(e) Redesigning South Capitol Street for a continuous, at-grade 130-foot street section as

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originally specified in the L’Enfant Plan, with a narrow median;

“(f) Constructing an island to channelize traffic on to and off of Fairlawn Avenue at Pennsylvania Avenue;

“(g) Placing a directional ramp on the northwestern quadrant of Pennsylvania Avenue, SE/Anacostia Freeway (I-295) interchange; and

“(h) Placing a single point diamond interchange at Pennsylvania Avenue, SE/Anacostia Freeway (I-295).”.

(17) Section 414.11 is amended to read as follows:

“414.11 Action T-3.1.A: TDM Strategies

“Develop strategies and requirements that reduce rush hour traffic by promoting flextime, carpooling, transit use; encourage the formation of Transportation Management Associations; and undertake other measures that reduce vehicular trips, particularly during peak travel periods. Identify TDM measures and plans as appropriate conditions for large development approval. Transportation Management Plans should identify quantifiable reductions in vehicle trips and commit to measures to achieve those reductions. Encourage the federal and District governments to explore the creation of a staggered workday for particular departments and agencies in an effort to reduce congestion. Assist employers in the District with implementation of TDM programs at their worksites to reduce drive-alone commute trips.”.

(18) Section 417.4 is amended to read as follows:

“417.4 Action T-3.4.A: Transit Directional Signs

“Establish a joint District/Wmata/ private sector Task Force to improve and augment pedestrian directional signs and system maps for transit riders, especially at transit station exits and transit stops, and at various locations throughout the District.”.

(19) Section 418.2 is amended to read as follows:

“418.2 Policy T-3.5.1: Tour Bus Facilities

“Develop carefully planned parking areas, loading zones, and dedicated routes for tour buses and commuter buses to prevent tour and commuter bus parking in residential neighborhoods. Enforce and apply fines and penalties when tour and commuter bus parking and route regulations are violated.”.

(c) Chapter 5 (10 DCMR A500 through A516) (Housing Element) is amended as follows:

(1) A new section 512.13 is added to read as follows:

“512.13 Action H-3.1.H: Foreclosure Prevention

“Develop public-private partnerships to raise awareness of foreclosure prevention efforts, and to offer assistance to households facing foreclosure.”.

(2) A new section 513.8 is added to read as follows:

“513.8 Action H-3.2.C: Lending Practices

“Review private sector lending practices for their impact on the stability of neighborhoods .”.

(3) Section 516.8 is amended to read as follows:

“516.8 Policy H-4.2.2: Housing Choice for Seniors

“Provide a wide variety of affordable housing choices for the District’s seniors, taking into account the income range and health-care needs of this population. Recognize the coming growth in the senior population so that the production and rehabilitation of publicly-assisted senior housing that meets universal design standards becomes a major governmental priority. Acknowledge and support the establishment of

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Senior Villages throughout the city that allow seniors to remain in their homes and age in-place.”.

(d) Chapter 6 (10 DCMR A600 through A630) (Environmental Protection Element) is amended as follows:

(1) Section 600.5 is amended to read as follows:

“600.5 The District has turned the corner and begun to tackle these challenges head on. In 2005, legislation was passed creating a District Department of the Environment. The District, along with hundreds of other cities, has signed on to the U.S. Conference of Mayors Climate Protection Agreement and has taken on climate change as the most pressing global environmental challenge of this century. The District is committed to meeting or beating the greenhouse gas emission reduction target suggested for the United States in the Kyoto Protocol, which is a 7% reduction from 1990 levels by 2012. The most ambitious tree planting, water quality improvement, and habitat restoration projects in decades are underway, and great strides are being made to promote more sustainable growth.”.

(2) Section 603.13 is amended to read as follows:

“603.13 Action E-1.1-D: Operating Procedures for Utility and Roadwork

“Develop standard operating procedures to minimize tree damage by public utility and road crews. All activities that involve invasive work around street trees should be reviewed by Urban Forestry Administration personnel. Goals have been developed by the USDA and the Casey Trees Endowment Fund and tested in other cities as a way of evaluating the existing tree canopy and setting specific goals for its restoration. Promote the expansion of the urban tree canopy.”.

(3) A new section 608.3 is added to read as follows:

“608.3 The District’s Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1773.01), provides for several policies and programs intended to foster more energy efficiency and conservation, energy diversification through the production of clean and renewable energy, and energy security through a distributive energy infrastructure system.”.

(4) A new section 610.2a is added to read as follows:

“610.2a Energy supply and demand must continue to be carefully managed and efficiency must be improved in all sectors. The related text box provides an overview of the Comprehensive Energy Plan, the District’s official guide for meeting future energy needs. With the District’s Renewable Energy Portfolio Standards (RPS), by 2020, a total of .04% of total electricity sold must be derived from District-generated solar resources. To facilitate the construction of systems that will support the RPS goal, policies must be updated to reflect real market conditions currently at play in the region. Amended net metering, interconnection, and solar access laws will create favorable conditions for the continued adoption of climate neutral energy generation technologies.”.

(5) Section 610.6 is amended to read as follows:

“610.6 Policy E-2.2.4: Alternative Energy Sources

“Support the development and application of renewable energy technologies, such as active, passive, and photovoltaic solar energy, fuel cells, and other sustainable sources. Such technology should be used to reduce the dependence on imported energy, provide opportunities for economic and community development, and benefit environmental quality. A key goal is the continued availability and access to unobstructed, direct sunlight for distributed-energy generators and passive-solar homes relying on the sun as a primary energy source.”.

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(6) Section 614.7 is amended to read as follows:

“614.7 Action E-3.2.D: Green DC Agenda

“Fully implement the Green DC Agenda to promote green building practices and other forms of sustainable architecture, landscape architecture, and development in the city.”.

(7) Section 616.5 is amended to read as follows:

“616.5 Policy E-3.4.3: Environmental Assessments

“Ensure full and meaningful compliance with the District of Columbia Environmental Policy Act of 1989, effective October 18, 1989 (D.C. Law 8-36; D.C. Official Code § 8-109.01 *et seq.*), including the use of procedures to assess the environmental impacts of major development projects comparable to the regulations developed by the Council on Environmental Quality for the National Environmental Policy Act of 1969, approved January 1, 1970 (83 Stat. 852; 42 U.S.C. 4321 *et seq.*). The environmental review should include all pertinent information about the effects of the project on the human environment, including information about existing conditions, projected impacts, and mitigation measures. Carbon dioxide and other greenhouse gas (GHG) emissions impacts should be included in the environmental impact assessments. The process should ensure that the information is available when a development is proposed and is available to the public and decision-makers before any decision is made.”.

(e) Chapter 7 (10 DCMR A700 through A718) (Economic Development Element) is amended as follows:

(1) New sections 703.13a and 703.13b are added to read as follows:

“703.13a Policy ED-1.1.6 International Assets

“Draw on international business and institutional assets to develop international centers for learning, knowledge sharing, and trade. Expand cultural opportunities to residents and visitors and create links between the District and foreign cities, industries, retail, institutions, and markets.

“703.13b Policy ED-1.1.7 Global Financial Center

“Enhance the District’s status as an international financial center by supporting the enactment of proposed federal legislation to ensure that insurance reserves are held and invested in the U.S., rather than offshore in foreign jurisdictions, to cover losses from natural and man-made catastrophes. By making the District a special tax jurisdiction where billions of dollars of catastrophic insurance reserves and their investment income would be exempt from federal taxes, substantial new professional and service-support jobs would be generated for District residents, along with substantial new local tax revenues.”.

(2) A new section 703.16 is added to read as follows:

“703.16 Action ED-1.1.C: Business Support Structures

“Streamline processes and create a more centralized system to assist businesses to meet regulatory requirements quickly and efficiently, with a particular focus on serving small businesses. Centralize information and assistance to small and local businesses on starting a new business, the business permitting processes, zoning, fees and regulations, incentives, financing, unique programs, and opportunities. Create a fast-track permits and approvals system for businesses interested in opening or expanding in priority, under-served neighborhoods.”.

(3) A new section 705.13 is added to read as follows:

“705.13 Action ED-1.3.D: Link Federal Research and Enterprises

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“Create partnerships to better link federal agencies that conduct research with local businesses to foster the commercialization and production of new technology, enterprise development, and generation of patents in the District.”.

(4) Section 708.11 is amended to read as follow:

“708.11 Policy ED-2.2.7: Planning For Retail

“Coordinate neighborhood planning efforts with the District’s economic development planning and implementation programs to improve retail offerings in local commercial centers. Consolidate retail according to existing and forecasted demand and consider converting retail to other uses where an increased consumer base is required.”.

(5) New sections 708.11a and 708.11b are added to read as follows:

“708.11a Policy ED-2.2.8: Innovative Retail

“Identify and implement new strategies to recapture retail sales leakage. This could include having mobile retail units in neighborhoods in which there might not be enough market demand to support an entire store, helping new businesses to get established, or helping pop-up stores to introduce new products and concepts, provide seasonal merchandise and services, and fill commercial buildings during short-term vacancies.

“708.11b Policy ED-2.2.9: Clustered Retail at Transit

“Cluster retail around areas of high-foot traffic, including Metrorail exits, bike trails, future streetcar stops, and other multi-modal meeting points. Create strong nodes of character to effectively link retail and transit.”.

(6) A new section 713.11a is added to read as follows:

“713.11a Policy ED-3.1.8: Neighborhood Retail District Identity and Promotion

“Brand the distinct character of retail districts through signature promotional events, signage, streetscape, and district gateways, as well as building unique clusters where appropriate.”.

(f) Chapter 8 (10 DCMR A800 through A819) (Parks, Recreation and Open Space Element) is amended as follows:

(1) A new section 804.10a is added to read as follows:

“804.10a Policy PROS-1.1.4: Mini-Parks

“Develop a coherent identity for mini-parks through a coordinated approach to management among the various government agencies 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.”.

(2) A new section 810.20 is added to read as follows:

“810.20 Action PROS-2.2.F: Integration of Federal and District Athletic Fields

“Better integrate federal and District athletic fields under the jurisdictions of NPS, DPR, and DCPS.”.

(3) A new section 814.6a is added to read as follows:

“814.6a Policy PROS-3.3.3: Small Park and Mini-Park Cluster Improvements

“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.”.

(4) A new section 814.8 is added to read as follows:

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“814.8 Action PROS-3.3.B: Small Parks Database

“Develop a shared database of small parks, as defined by the Capital Space Plan, to inform coordination efforts between agencies and with the public, including data on ownership, size, location, function, level of use, historic or cultural value, commemorative elements, programs, and condition. Assess existing agency jurisdiction for certain small parks to ensure that each parcel is managed effectively to meet District and/or federal objectives, and clarify responsibilities of the managing agencies.”.

(g) Chapter 9 (10 DCMR A900 through A916) (Urban Design Element) is amended as follows:

(1) Section 906.10 is amended to read as follows:

“906.10 Policy UD-1.4.4: Multi-Modal Avenue/Boulevard Design

“Discourage the use of the city’s major avenues and boulevards as “auto-only” roadways. Instead, encourage their use as multi-modal corridors, supporting transit lanes, bicycle lanes, and wide sidewalks, as well as conventional vehicle lanes.”.

(2) Section 913.12 is amended to read as follows:

“913.12 Policy UD-3.1.5: Streetscape and Mobility

“Ensure that the design of public space facilitates connections between different modes of travel, including walking, public transit, bicycling, and driving. Transit shelters, benches, bicycle parking, safe-pedestrian connections, and clear way-finding signage should be provided to facilitate multi-modal travel.”.

(3) Section 915.5 is amended to read as follows:

“915.5 Policy UD-3.3.3: Design of New Public Transit

“Treat the design of mass transit systems as an important form of public architecture. Transit shelters, waiting platforms, signage, off-board fare collection, on-street bicycle facilities, pedestrian connections, and other improvements should contribute to citywide urban design goals.”.

(4) Section 915.6 is amended to read as follows:

“915.6 Policy UD-3.3.4: Metro Station Entrances

“Promote design improvements and public art at transit station entrances and transit stops, providing a stronger sense of arrival and orientation for travelers.”.

(h) Chapter 11 (10 DCMR A1100 through A1114) is amended by adding a new section 1106.21 to read as follows:

“1106.21 Action CSF-2.1.B: Review Zoning Issues

Review and assess zoning regulations to identify barriers to, and create opportunities for, the development of primary care facilities and neighborhood clinics, including the reuse of existing non-residential buildings in residential zones, after a public review and approval process that provides an opportunity to address neighborhood impacts.”.

(i) Chapter 12 (10 DCMR A1200 through A1214) (Education Facilities Element) is amended as follows:

(1) Section 1200.2 is amended to read as follows:

“1200.2 The crucial educational facilities issues facing the District of Columbia are addressed in this Element. These include:

“(a) Modernizing the District’s public schools to provide a safe and stimulating learning environment for District students;

“(b) Re-establishing quality schools that are anchors and assets for District neighborhoods;

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and

“(c) Encouraging university and community college satellite campuses east of the Anacostia River to provide expanded educational opportunities.”.

(2) Section 1200.5 is amended to read as follows:

“1200.5 Because the emphasis of the Comprehensive Plan is on the physical environment, this Element, as it relates to DCPS, addresses school land and buildings, rather than educational curriculum, teacher quality, school administration and other programmatic issues. Those issues are critically important, but they are addressed by the DCPS Master Education Plan and other DCPS documents. Policies in the Educational Facilities Element are intended to work in tandem with those adopted by DCPS, the Office of the Deputy Mayor for Education, and the Office of Public Education Facilities Modernization as a coordinated, internally consistent strategy for educational excellence and neighborhood revitalization.”.

(3) Section 1202.1 is amended to read as follows:

“1202.1 Public education in the District of Columbia is provided by the District of Columbia Public Schools (DCPS) and by public charter schools. DCPS is a traditional local education agency. It is responsible for educating District of Columbia children and coordinates with the Office of Public Education Facilities Modernization (OPEFM) in planning, operating, maintaining, designing, and constructing public school facilities (see text box on 12-4). The Public Charter schools are publicly funded schools organized as nonprofit corporations and managed by independent Boards of Trustees.”.

(4) Section 1202.4 is amended to read as follows:

“1202.4 Understanding the Relationship of DC Public Schools to District Government
“The District of Columbia Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; 54 DCR 4102), created a new and re-organized structure of educational leadership. Direct mayoral control of District of Columbia Public Schools (DCPS) as a cabinet-level agency was established. The Mayor appoints a Deputy Mayor for Education to support the development and implementation of an education reform vision. In addition, the Mayor appoints a Chancellor to oversee day-to-day operations of DCPS, including academic improvement and student performance, and the hiring of teachers and principals. The Office of 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 District’s State Board of Education. The District’s State Board of Education is responsible for advising OSSE on educational matters, including state standards and 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 from the Public Charter School Board.”.

(5) Section 1203.4 is amended to read as follows:

“1203.4 Between 1998 and 2006, significant progress toward the modernization of the building stock was made. Five elementary schools (Oyster, Barnard, Miner, Key, and Randle Highlands) were fully modernized. McKinley Technology High School is in its second year of operation, and Kelly Miller is now operating as a state-of-the-art middle school on the site of a formerly closed facility. The combined Bell and Lincoln Schools in Columbia Heights, and Thomson Elementary School in Shaw will soon join the

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inventory of modernized facilities.”.

(6) Section 1203.6 is amended to read as follows:

“1203.6 Strongly support efforts to prepare long-range master facility plans so that the school modernization program is based on comprehensive system-wide assessments of facility condition, enrollment trends, long-term needs, and the District’s land use plans.”.

(7) Section 1204 is amended to read as follows:

“1204 The appeal of these schools stems from several sources: they are free, their curriculum is set by an independent board of trustees, and they often specialize in particular subject areas such as math, science, or performing arts. The public charter schools are funded by a per pupil allowance that helps them acquire and renovate space. They are approved and monitored by the District of Columbia Public Charter School Board.”.

(8) Section 1204.5 is amended to read as follows:

“1204.5 The former Board of Education also adopted general principles acknowledging the role of charter schools in meeting the diverse needs of the city’s population and emphasizing the importance of safe and secure neighborhood public school facilities, regardless of who operates them. These principles laid the groundwork for co-location standards and detailed procedures for accommodating public charter schools within DCPS buildings. For instance, the standards allow charters to lease floors in underutilized school buildings where certain conditions are met (such as a separate entrance and adequate visitor parking). While co-location may accommodate some of the demand for space, it is likely that space may be needed in non-school buildings as well.”.

(9) Section 1204.7 is amended to read as follows:

“1204.7 Support efforts to co-locate Charter Schools within DCPS facilities. Ensure that parking, traffic, noise, and other impacts associated with increased enrollment and space utilization are addressed when co-location occurs.”.

(10) Section 1206.3 is amended to read as follows:

“1206.3 Encourage DCPS and OPEFM to plan for the modernization of entire school campuses rather than just the school buildings. Where school facilities are adjoined by athletic fields, playgrounds, and open space, the improvement of these areas should be included in renovation plans wherever feasible. In addition, school employee parking should not be provided at the expense of recreational space.”.

(11) Section 1207.4 is amended to read as follows:

“1207.4 Policy EDU-1.5.5: Adaptive Re-Use

“In the event that DCPS facilities are surplus, provide a right of first refusal to public charter schools for use of the facilities, and, thereafter, if converted to non-school uses, require the new uses to be sensitive to neighborhood context and to mitigate impacts on parking, traffic, noise, and other quality-of-life factors. Provide for public review of potential new uses and ensure that any issues related to prior jurisdiction over the site by the federal government are addressed.”.

(12) Section 1207.11 is amended to read as follows:

“1207.11 Consistent with the DC Municipal Regulations, use the following priorities to determine the future use of schools that are deemed surplus and turned over to the Department of Real Estate Services:

“(a) First priority should be re-use for direct educational purposes,

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including Public Charter schools.

“(b) Second priority should be for other District agency facilities that strengthen families, such as day care and early childhood development centers, job training , libraries, recreation centers, or health care.

“(c) Third priority should be for other uses that provide a public benefit (such as District government administrative offices or affordable housing).”.

(13) Section 1211.4 is amended to read as follows:

“1211.4 The University of the District of Columbia is the District’s only postsecondary public educational institution. The historically black university is also the only urban land-grant institution in the nation. In 2009, the university established the Community College of the District of Columbia as a component institution, and now offers certificate, associate, baccalaureate, and graduate level degrees that are tailored to meet the unique needs of the District. Available programs range from associate degrees in Nursing and Mortuary Science to masters degrees in Cancer Biology Prevention and Clinical Psychology. Over 50 different programs of study are offered.”.

(14) Section 1211.6 is amended to read as follows:

“1211.6 UDC and the Community College of the District of Columbia (CCDC) serve a very diverse population that includes students from over 25 different nations. The CCDC has an open admissions policy that is particularly beneficial for non-traditional students. Together, these institutions provide an important opportunity for young adults and adult learners to gain a quality education at an affordable price.”.

(15) Section 1212.1 is amended to read as follows:

“1212.1 Continued political and financial support for UDC and CCDC is essential if they are to fulfill their mission as a viable educational option and path to career advancement for District residents. Expansion of satellite campuses to better serve residents’ educational and training needs is an idea that has much support throughout the community. Neighborhoods east of the Anacostia River are particularly well situated for such expansion. There is only one CCDC campus there with limited program offerings and there are several large sites where additional campuses might be accommodated. This element recommends that additional satellite campuses be established.”.

(16) Section 1212.2 is amended to read as follows:

“1212.2 Sustain, promote, and advance the University of the District of Columbia and the Community College of the District of Columbia as the city’s only public institutions of higher learning and continuing education for District residents.”.

(17) Section 1212.3 is amended to read as follows:

“1212.3 Strengthen the Community College of the District of Columbia to continue training students for the baccalaureate program at UDC, and to build practical career skills that prepare students for current and future employment in the District.”.

(18) Section 1212.4 is amended to read as follows:

“1212.4 Pursue the development and expansion of satellite campuses of the University of the District of Columbia and the Community College of the District of Columbia east of the Anacostia River.”.

(19) Section 1213.3 is amended to read as follows:

“1213.3 Encourage partnerships between the city’s colleges and universities, anchor institutions, and K-12 schools to create additional pathways to learning for District students and young adults.”.

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(j) Chapter 15 (10 DCMR A1500 through A1514) (Capitol Hill Area Element) is amended as follows:

(1) Section 1510.4, which is Map 15.1 and depicts Capitol Hill Policy Focus Areas, is amended by changing the color in the legend for the H Street/Benning Road area from pink to light blue.

(2) Section 1511.12 is amended to read as follows:

“1511.12 Policy CH-2.1.7: H Street Overpass

“Ensure that any future development in the air rights adjacent to the H Street overpass recognizes the limitations of the streets beneath the bridge to serve high volume commercial traffic and includes provisions for parking and delivery ingress and egress from the bridge itself. The allowable height of any building constructed in the air rights should be measured consistent with the Height Act and relate positively to the surroundings with special attention to Union Station and other historic buildings, the federal precincts on Capitol Hill, and existing neighborhoods to the east and west. Development must give special attention to the preservation and enhancement of and views to Union Station and its historic surroundings by ensuring the provision of exemplary architecture and encouraging upper story setbacks and minimized penthouses.”.

(3) A new section 1512.10a is added to read as follows:

“1512.10a Policy CH-2.2.7: Hine Junior High School Site

“Promote continued investment and redevelopment of Hine Junior High School, an important community public facility, which was closed in the summer of 2008. Redevelopment of the site should complement the adjacent neighborhood.”.

(k) Chapter 16 (10 DCMR A1600 through A1618) (Central Washington Area Element) is amended as follows:

(1) Section 1607.2(h) is amended to read as follows:

“(h) The “federal” city and “domestic” city should be connected as one, as they are in other great national capital cities. The Mall’s museums and attractions are ringed by imposing federal office buildings that offer few amenities or opportunities for visitors, or even their own employees, and little indication of what lies a few blocks beyond. The expansion of development and redevelopment around the Mall should begin to diminish these distinctions and provide more amenities closer to the Mall. There will need to be special efforts to draw tourists into Downtown, such as signage and streetscape improvements, new transportation modes, such as the DC Circulator, and the development of new attractions, such as the Newseum and Spy Museum in the heart of Downtown. In addition to the urban design benefits of unifying the Mall and Downtown, there are other benefits as more visitors choose to dine, shop, and stay in the District. Waterfront park improvements provide another way to tie the city together; developing a continuous 11-mile band of waterfront open space from Georgetown to the Arboretum was an important theme of the NCPC Legacy Plan and will continue to be a priority in the future.”.

(2) Section 1608.5 is amended to read as follows:

“1608.5 Policy CW-1.1.5: New Housing Development in Central Washington

“Encourage the development of new high-density housing in Central Washington, particularly in the area north of Massachusetts Avenue, east of Mount Vernon Square, and the L’Enfant Plaza/Near Southwest. This area includes Mount Vernon Triangle, Northwest One, NoMA, and the L’Enfant Plaza/Near Southwest. Ground floor retail space and similar uses should be strongly encouraged within

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these areas to create street-life and provide neighborhood services for residents. A strong Downtown residential community can create pedestrian traffic, meet local-housing needs, support local businesses in the evenings and on weekends, and increase neighborhood safety and security.”.

(3) Section 1612.7 is amended to read as follows:

“1612.7 Policy CW-2.2.2: East End Theater District

“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 long-existing theaters, such as 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.”.

(4) Section 1617.5 is amended to read as follows:

“1617.5 Policy CW-2.7.1: Enhancing the Near Southwest

“Work collaboratively with the National Capital Planning Commission to improve the aesthetic quality, identity, and pedestrian character of the Near Southwest. Plans for the area should identify streetscape and signage improvements, pedestrian circulation changes, measures to mitigate the scale of the area’s monolithic buildings, guidelines for new (or replacement) buildings within the area, and the potential for new residential uses if federal properties transfer from federal use.”.

(5) A new section 1617.7a is added to read as follows:

“1617.7a Policy CW-2.7.4: Redevelopment of Maryland Avenue SW and Surrounding Lands

“Require residential uses and neighborhood livability standards for the creation of a new mixed-use neighborhood as part of any redevelopment of the Maryland Avenue SW area; provide for the reconstruction of Maryland Avenue SW, including cultural use and public space as appropriate.”.

(6) A new section 1617.9 is added to read as follows:

“1617.9 Action CW-2.7.B: Residential Uses in the Near Southwest

“Use innovative zoning, as appropriate, to link development potential to identified infrastructure improvements, and coordinate with the National Capital Planning Commission to identify infrastructure consistent with local and federal planning goals for the area. Innovative zoning may include establishing a direct correlation between maximum zoning entitlements and infrastructure construction and requiring minimum residential densities.”.

(7) Section 1618.10 is amended to read as follows:

“1618.10 Policy CW-2.8.2: East of the Tracks and Eckington Place Transition Areas

“Create a production/arts and live/work, mixed-use area east of the CSX railroad tracks between H Street NE and Florida Avenue NE and in the area east of Eckington Place and north of New York Avenue. Some of this area is shown as “Mixed Use Production Distribution Repair/Residential” areas on the Future Land Use Map. The intent of this designation is not to blend industrial uses with housing but rather to retain viable industrial activities until market conditions support their conversion to live/work space, housing, artists’ studios, and similar uses. Mixed use squares in the NoMA area have unique characteristics that allow for a balance of industrial, residential, and office uses. The industrial striping on the Future Land Use Map anticipates some office use. These two areas should generally not be developed as large-scale commercial office building areas. Mixed-use development, including housing, should be encouraged in

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both locations.”

(8) A new section 1618.18 is added to read as follows:

“1618.18 Action CW-2.8.E: Public Participation in Union Station Air Rights Development

“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 requires public participation in the review of any development application for that site.”

“(l) Chapter 17 (10 DCMR A1700 through A1718) (Far Northeast & Southeast Area Element) is amended as follows:

(1) Section 1709.3 is amended to read as follows:

"1709.3 Policy FNS-1.2.3: Fort Dupont Park

“Improve access to Fort Dupont Park by providing shared parking, bicycle and pedestrian access, and public transit service. Expand outdoor recreational activities at the park to better meet community needs, and create opportunities for the expedited construction of a youth baseball academy and an expanded ice arena, which may include a multi-purpose field on the arena’s roof.”

(2) Subsection 1713.5 amended to read as follows:

“1713.5 Policy FNS-2.3.2: 61st and Dix

“Improve the commercial area along Dix Street NE between 61st and Eastern Avenue, encouraging new retail businesses and services that benefit the adjacent community.”

(m) Chapter 18 (10 DCMR A1800 through A1817) (Far Southeast/Southwest Area Element) is amended as follows:

(1) Section 1808.2 is amended to read as follows:

“1808.2 Policy FSS-1.1.1: Directing Growth

“The presence of the Anacostia Metrorail Station and the coming redevelopment of the St. Elizabeths Hospital site, including the consolidation of the Federal Department of Homeland Security, offer an unprecedented opportunity to catalyze economic development in the Far Southeast/Southwest area. The "Great Streets" corridor along Martin Luther King, Jr., Avenue from the Anacostia River on the north to just past Malcolm X Avenue on the south, including the St. Elizabeths Hospital site, should be developed with medium to high density mixed uses, offering supportive retail services to office workers and residents alike and providing housing opportunities to people who want to live and work in the area. Strongly promote mixed use development, including retail, service and residential uses as well as office uses, on the portions of the St. Elizabeths Hospital site along Martin Luther King, Jr., Avenue. Such mixed use development should face the street and be open to the public, outside security barriers that may otherwise be required. Additional opportunities for future housing development and employment growth in the Far Southeast/Southwest should be directed to the area around the Congress Heights Metro Stations and along the Great Streets corridors of South Capitol Street. Provide improved transit and automobile access to these areas and improve their visual and urban design qualities. Any increase in zoning or density around the Metro station shall only be available through a planned unit development with the expectation that commensurate benefits shall accrue to the neighborhood in terms of education and job opportunities, new and affordable housing for homeownership, improved urban design, and public infrastructure improvements. The planned unit development shall provide civic and cultural amenities, promote quality

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in design of buildings and public spaces, support local schools, create opportunities for cultural events and public art, and enhance the public realm by addressing safety and cleanliness issues."

(2) Section 1808.7 is amended to read as follows:

“1808.7 Policy FSS-1.1.6: Anacostia Streetcar Project

“Coordinate land use and transportation decisions along the proposed route of the Anacostia Streetcar. Future development along the streetcar line should be clustered around proposed transit stops. In addition, the streetcar route should be designed and planned to minimize impacts on traffic flow and to avoid negative impacts on the historic character of the Anacostia community.”

(3) A new section 1808.22 is added to read as follows:

“1808.22 Policy FSS-1.1.14: District government Incentives for Economic Development

“Use the full range of incentives and tools available to the District Government, including tax abatements, tax increment financing, PILOTs, eminent domain, and planned unit developments to promote and leverage economic development in the Far Southeast/Southwest area.”

(4) Section 1811.5 is amended to read as follows:

“1811.5 Policy FSS-2.1.2: Activity Concentrations

“Concentrate development activity in Historic Anacostia at the following locations:

“(a) The Metro station, including the station site and the adjacent Bethlehem Baptist Church site, which should be developed with a mix of single and multi-family homes with ground floor retail. Strongly encourage WMATA to make its land available for joint development.

“(b) The W Street/Martin Luther King Jr Avenue area, where diverse new housing opportunities and ground floor retail should be encouraged on parking lots and underutilized sites.

“(c) The Gateway area (at Good Hope Road), where a government center is planned, and additional opportunities exist for residences, shops, offices, and arts uses. “Densities and intensities should be compatible with the area’s historic character and should generally be in the medium range, with high density on the Metro station site and in its immediate vicinity. Any increase in zoning or density around the Metro station shall only be available through a planned unit development with the expectation that commensurate benefits shall accrue to the neighborhood in terms of education and job opportunities, new and affordable housing for homeownership, improved urban design, and public infrastructure improvements. The planned unit development shall provide civic and cultural amenities, promote quality in design of buildings and public spaces, support local schools, create opportunities for cultural events and public art, and enhance the public realm by addressing safety and cleanliness issues.”

(5) Section 1812.4 is amended to read as follows:

“1812.4 Policy FSS-2.2.1: St. Elizabeths East Campus

“Redevelop the East Campus of St. Elizabeths Hospital as a new community containing a mix of uses, including mixed density housing, retail shops, offices, a comprehensive mental health care facility, and parks and open space. Mixed-use development, including retail and service uses, should be promoted along Martin Luther King Jr Avenue, should face the street and should be open to the public. Other uses such as satellite college campuses, civic uses, and local public facilities should be incorporated.”

(6) Section 1812.5 is amended to read as follows:

“1812.5 Policy FSS-2.2.2: St. Elizabeths West Campus

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“Work collaboratively with the federal government on the reuse of the West Campus. Particular priority should be given to preserve historic resources—including not only the buildings, but the historic open spaces and massing of buildings on the site. To the greatest extent feasible, redevelopment of the West Campus should create new publicly accessible open space and should be coordinated with redevelopment of the East Campus. Integrate the Department of Homeland Security consolidation into the surrounding community to the greatest extent possible.” .

(7) Section 1812.7 is amended to read as follows:

“1812.7 Policy FSS-2.2.4: Development Density

“Provide development densities and intensities on the site that are compatible with adjacent residential neighborhoods and that promote new economic development of the site, with moderate to medium density residential and commercial on most of the site, with higher densities clustered in the area closest to Martin Luther King Jr Avenue and the Congress Heights Metrorail station. 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 viewsheds.”.

(8) A new section 1812.7a is added to read as follows:

“1812.7a Policy FSS-2.2.5: 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 nonresidential daytime population and the existing and new residential populations.”.

(9) Section 1814.3 is amended to read as follows:

“1814.3 Policy FSS-2.4.1: Congress Heights Metro Station Mixed Use “Encourage reuse of the Congress Heights Metro station site and its vicinity with mixed use medium density residential and commercial development through the use of planned unit developments that promote new economic development. Development on the site should be cognizant of the adjacent lower density neighborhood to the west and south, provide a connection to the future development on the St. Elizabeths Campus, and create a stronger sense of identity and gateway for the Congress Heights neighborhood. Medium density development on the portions of the northwest quadrant of Square 5814 would be compatible with the adjacent lower density neighborhood to the west and south with appropriate design review through a Planned Unit Development process. Strongly encourage WMATA to make its land available for joint development around the Congress Heights Metro Station.”.

(10) Section 1815.3 is amended to read as follows:

“1815.3 Policy FSS-2.5.1: Martin Luther King, Jr/ Malcolm X Business District

“Encourage a major new retail commercial node at medium density at Martin Luther King Jr Avenue and Malcolm X Avenue. Strengthen this area as the commercial hub of the Congress Heights neighborhood, and upgrade the mix of uses to better meet neighborhood needs. Enhance the opportunities to grow existing businesses in the area and offer incentive for new small and local businesses. Any increase in zoning or density around the Metro station shall only be available through a planned unit development with the expectation that commensurate benefits shall accrue to the neighborhood in terms of education and job opportunities, new and affordable housing for homeownership, improved urban design, and public infrastructure improvements. The planned unit development shall provide civic and cultural amenities,

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promote quality in the design of buildings and public spaces, support local schools; create opportunities for cultural events and public art, and enhance the public realm by addressing safety and cleanliness issues.”.

(11) Section 1815.4 is amended to read as follows:

“1815.4 Policy FSS-2.5.2: Great Street Housing Opportunities

“Pursue opportunities for additional multi-family housing with ground floor retail or office uses at medium density, along the Martin Luther King Jr Avenue corridor between St. Elizabeths Hospital and Alabama Avenue.”.

(n) Chapter 19 (10 DCMR A1900 through A1914) (Lower Anacostia Waterfront/Near Southwest Area Element) is amended as follows:

(1) Section 1908.3 is amended to read as follows:

“1908.3 Policy AW-1.1.2: New Waterfront Neighborhoods

“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 Carrollsburg areas. These neighborhoods should be linked to new neighborhoods upriver at Reservation 13, 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.”.

(2) Section 1911.4 is amended to read as follows:

“1911.4 While the Southwest Waterfront 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 guidance of the Southwest Waterfront Plan, as well as new policies in the Comprehensive Plan that support sustainable and compact development that enhances access to transit. Illustrative sketches in the Southwest Waterfront Plan envision new residences, hotels, retail, office, cultural, and civic uses. New public gathering places will include an urban “Market Square” near the Fish Wharf, and a more passive Civic Park at the south end of the waterfront near M Street SW. Between these spaces will be a series of smaller plazas on the Washington Channel that mark the ends of local streets. The existing fish market will be retained in its present location and refurbished, with its low-scale character maintained. Development of the park at the south end of the waterfront is contingent on a number of factors, including relocation of the tour-boat terminals and surface parking to a new location further north on the Channel. Until this can be accomplished, the existing terminals will be supported in their current location. Even though the Future Land Use Map designates the location of the tour-boat terminals and their surface parking as Mixed Use Low Density Commercial and Parks, Recreation, and Open Space, the existing low density commercial use and zoning would not be inconsistent with this map designation.”.

(3) Section 1911.7 is amended to read as follows:

“1911.7 Policy AW-2.1.1: Mixed Use Development

“Support the redevelopment of the Southwest Waterfront with medium to high-density housing, commercial and cultural uses, and improved open space and parking. The Future Land Use Map shows high density development and it is expected that the project will capitalize on height opportunities to

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provide public spaces and, where appropriate, a mix of medium development density in order to transition to the 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.”

(4) Section 1914.9 is amended to read as follows:

“1914.9 Policy AW-2.4.3: Poplar Point Mixed Use Neighborhood

“Create a new transit-oriented mixed use neighborhood oriented around the Poplar Point Park, linked to the Anacostia Metrorail station and new Anacostia streetcar line. The neighborhood should include a significant component of affordable housing and should also include retail and civic uses that benefit the adjacent communities east of I-295. Within the overall mix of uses, allow segments of the future development to be devoted entirely to office use to encourage location of Federal office space and other office space supportive of Federal government agencies to occupy new buildings at Poplar Point. This should be particularly targeted to office space related to the Department of Homeland Security consolidation at the St. Elizabeths site. To minimize the loss of useable open space, development should utilize the land recovered after the realignment and reconstruction of the Frederick Douglass Bridge.”

(5) Section 1914.11 is amended to read as follows:

“1914.11 Policy AW-2.4.5: Scale of Development at Poplar Point

“Provide a scale and pattern of development in Poplar Point that recognizes the area’s proximity to a Metrorail station and other major surface arterials and that the area is physically separated from surrounding neighborhoods and, therefore, may accommodate buildings and site plans unlike but compatible with the fine-grained pattern found in nearby Historic Anacostia. Development should be pedestrian-oriented and should include active ground floor uses. The massing, height, and bulk of buildings and related features such as parking also should respect adjacent park uses and environmentally sensitive areas.

(6) Section 1914.15 is amended to read as follows:

“1914.15 Action AW-2.4.A: Poplar Point Planning

“(a) Conduct additional detailed planning studies for Poplar Point, refining the preliminary development program set forth by the 2003 Target Area Plan. The desired mix of land uses and building intensities for the site should be further defined, and the specific transportation and infrastructure improvements necessary to support development and park construction should be identified. Development and proposed projects shall be guided by the Poplar Point Small Area Plan, and by large tract review and planned unit development processes. “(b) However, as set forth in the Sense of the Council in Support of the Howard Road Private Development Zone Emergency Resolution of 2010, effective May 4, 2010 (Res. 18-472; 57 DCR 4140), because of the importance of benefits from development in the Howard Road Private Development Zone (HRPDZ) to the community and the city as a whole, high density commercial and residential mixed use shall be considered as a matter of right only on a provisional basis should a large federal tenant select the HRPDZ site. Projects anchored by large federal tenants that are required to be submitted under large tract review or as planned unit developments can be reviewed and go forward on an expedited basis, notwithstanding whether or not a small area plan has been completed. This subsection shall expire upon Council approval of a Poplar Point Small Area Plan submitted by the Mayor.”

(o) Section 2011.10 (10 DCMR 2011.10) (Mid-City Area Element) is amended to read as follows:

“2011.10 Action MC-2.1-B: Howard Town Center

“Develop a new mixed-use neighborhood center on land to the west of Howard University Campus.

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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. Appropriate transitions in scale should be established between this center and the lower density row house neighborhoods to the west.”

(p) Chapter 22 (10 DCMR A2200 through A2215) (Rock Creek East Area Element) is amended as follows:

(1) Section 2213.5 is amended to read as follows:

“2213.5 Strategies for Upper Georgia Avenue must be coordinated with the evolving plans for the Walter Reed Army Medical Center (WRAMC). In 2005, the site was identified for closure through the Base Realignment and Closure (BRAC) law. The law requires WRAMC-related employees, services, and programs to vacate the site and move to other existing and/or planned facilities by the year 2011. As of Spring 2006, the Department of the Army had accepted the applications of the General Services Administration (GSA) and the Department of State (DOS) for reuse of the site. This initial decision meant that the entire site would be conveyed to these agencies and none of the property would be declared surplus. GSA’s proposal included secure office space for the northern portion of the site and the DOS proposal called for foreign missions on the rest of the site. In April 2009, the federal government declared 62.5 acres on the main post of the Walter Reed Army Medical Center as surplus property, thereby making it available to a District government local redevelopment authority (LRA) for re-use. In accordance with the BRAC process, the Walter Reed LRA engaged in an extensive public planning process to prepare a Reuse Plan in alignment with District, community, and BRAC goals. It is possible that these plans will change before the site is vacated. Key goals for redevelopment of the site include:

“(a) Enhancing the city’s tax revenue base;

“(b) Re-connecting the campus to the neighborhood by extending the street grid into the campus and creating enhanced transit options

“(c) Creating a livable, walkable community through sustainable development; and

“(d) Revitalizing Georgia Avenue.

(2) Section 2213.9 is amended to read as follows:

“2213.9 Policy RCE-2.3.3: Walter Reed Development

“Work with federal officials in ongoing discussions on the disposition of Walter Reed Hospital. The District will seek outcomes that preserve the stability and quality of neighborhoods around the site, minimize the potential for future land use and transportation conflicts, preserve open space buffers between the site and its neighbors, provide community amenities wherever feasible, and create educational and employment opportunities that benefit District residents. The Final Reuse Plan will be a key component of the District's application to the Department of Defense and the Department of Housing and Urban Development for the successful conveyance of the property to the District, and will serve as the preferred federal land use plan for the future development of the site.”

(3) A new section 2213.12 is added to read as follows:

“2213.12 Action RCE-2.3.C: Walter Reed Small Area Planning and Zoning

“As the Walter Reed property progresses through the BRAC process, the District and an implementation LRA should take a proactive approach to connect the site with the community, accelerate the timeline for reuse, and mitigate potential development risks. Steps to achieve this goal include:

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- “(a) Undertaking a small area planning process to determine land use designations and zoning;
- “(b) Working with the Army to establish interim uses and activity on the site;
- “(c) Actively marketing the site to potential tenants and developers;
- “(d) Identifying an appropriate public-private financing plan that includes a mix of local and federal incentives and grants; and
- “(e) Establishing appropriate standards for environmental remediation and site-wide sustainability.”.

(4) Section 2214.3 is amended to read as follows:

“2214.3 The diverse population in the Brightwood area provides an opportunity to bolster the tenant mix and attract new mixed-use development. Because of existing services, such as the recently built Hattie B. Holmes Senior Wellness Center at the 300 block of Kennedy Street, new mixed-use development, with street activated uses and mixed-income housing above, will catalyze revitalization along the corridor.”.

(5) Section 2214.5 is amended to read as follows:

“2214.5 Policy RCE-2.4.2: Housing along Kennedy Street

“Encourage moderate density mixed-use projects along Kennedy Street, including mixed-income housing to serve all generations of residents in the neighborhood.”.

(q) Section 2308.3 (10 DCMR 2308.3) (Rock Creek West Area Element) is amended to read as follows:

“2308.3 Policy RCW-1.1.2: Economic Development

“Given the strength of the private market within Rock Creek West, carefully consider public sector initiatives that would stimulate additional development in the area.”.

(r) Chapter 24 (10 DCMR A2400 through A2417) (Upper Northeast Area Element) is amended as follows:

(1) Section 2409.6 is amended to read as follows:

“2409.6 Policy UNE-1.2.6: Connecting to the River

“Recognize the Anacostia River and the land along its banks as an essential and integral part of the Upper Northeast community. Improve the connections between Upper Northeast neighborhoods and the Anacostia River through trail, path, transit, and road improvements, linking the Gallaudet campus as an institutional open space with the adjacent open spaces to the east, including the Mt. Olivet Cemetery and the National Arboretum, and extending to the Anacostia River. Opportunities also exist for connections between the Gallaudet campus and the network of open spaces to the west, including the Metropolitan Branch Trail and the Burnham Spine to create a green spine through Northeast DC for bicycle and pedestrian movement from the Mall/Union Station area to the Anacostia River and back down to the Mall along the proposed Anacostia River Walk. Provide amenities and facilities in the planned waterfront parks that meet the needs of Upper Northeast residents.”.

(2) Section 2409.7 is amended to read as follows:

“2409.7 Policy UNE-1.2.7: Institutional Open Space

“Recognize the particular importance of institutional open space to the character of Upper Northeast, particularly in and around Brookland, Woodridge, and Gallaudet University/Trinidad. Opportunities also exist for connections between the Gallaudet campus and the network of open spaces to the west, including the Metropolitan Branch Trail and the Burnham Spine to create a green spine through

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Northeast DC for bicycle and pedestrian movement. In the event that large institutional uses are redeveloped in the future, pursue opportunities to dedicate substantial areas as new neighborhood parks and open spaces. Connections between Upper Northeast open spaces and the network of open space between McMillan Reservoir and Fort Totten also should be pursued.”

(3) Section 2411.11 is amended to read as follows:

“2411.11 Action UNE-2.1-C: Crummell School Reuse

“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 children from that time until 1972. The structure, which is a designated historic landmark, has been vacant for more than 30 years.”

(4) Section 2412.5 is amended to read as follows:

“2412.5 Policy UNE-2.2.1: Mixed Use Development Along Benning and Bladensburg

“Improve the overall appearance of Benning and Bladensburg Roads in the vicinity of Hechinger Mall. Pursue opportunities for additional pedestrian-oriented mixed-use development fronting on these streets, including ground floor retail uses, particularly uses consistent with creating an arts and entertainment district, and upper floor housing. Such development should be linked to transportation investments along these streets, including the proposed streetcar along H Street/Benning Road.”

(5) A new section 2412.9a is added to read as follows:

“2412.9a Policy UNE-2.2.6: Extension of H Street NE Arts District

“Work with area stakeholders to develop a strategy for promoting development of an arts district along the eastern end of Florida Avenue NE by considering linkages with the H Street NE arts and entertainment district and planned development on lower Bladensburg Road, support of additional development on the corridor, and support of visual improvements.”

(6) Section 2415.5 is amended to read as follows:

“2415.5 Policy UNE-2.5.1: Rhode Island Avenue/Brentwood Metro Station

“Encourage the development of additional medium- to high-density mixed-use development around the Rhode Island Avenue Metro station, particularly on the surface parking lots in the station vicinity. Review the Rhode Island properties west of and proximate to the Rhode Island Avenue Metro station for transit connections and appropriate land use recommendations.”

(7) A new section 2416.5a is added to read as follows:

“2416.5a Policy UNE-2.6.4 Brookland’s 12th Street Corridor

“In consultation with property owners, community groups, and residents, use zoning, incentives, and other tools to facilitate mixed-use projects with retail and service uses at street level, and with residential and commercial uses on upper stories. Create productive synergies between 12th Street and planned adjacent economic development projects; assist with connectivity and parking policies; ensure quality project designs; and encourage voluntary preservation of buildings on 12th Street most emblematic of Brookland’s history and character.”

(8) A new section 2416.7 is added to read as follows:

“2416.7 Action UNE-2.6.B: Parking Strategy

“Develop a strategy for shared parking and implementation of car-sharing programs in new

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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.”.

(s) Section 2519 (10 DCMR A2519) (Implementation Element), entitled Table 25.1 Action Planning, which is a summary of all of the actions contained in the District elements of the Comprehensive Plan, including a listing of the responsible implementation agencies, the time frame for implementation, and whether or not capital funds would be needed, is amended by adding all of the new or revised actions adopted in the Comprehensive Plan Amendment Act of 2010, passed on 2nd reading on November 23, 2010 (Enrolled version of Bill 18-867).

(t) The maps and graphics printed on the pages of the Comprehensive Plan shall be revised to conform with the amendments enacted in this act.

(u) The District of Columbia Comprehensive Plan Future Land Use Map, which was enacted as part of the Comprehensive Plan, is amended as follows:

(1) The moderate density residential land use area in the northeastern corner of the square bounded by 13th Street, N.W., Euclid Street, N.W., 14th Street, N.W., and Clifton Street, N.W., including both sides of Euclid Street, N.W., is changed to medium density residential.

(2) The eastern edge of the medium density residential area in the square bounded by 13th Street, N.W., Fairmont Street, N.W., 14th Street, N.W., and Euclid Street, N.W., is changed to moderate density residential.

(3) The medium density residential land use area in the square bounded by 13th Street, N.W., Euclid Street, N.W., 12th Street, N.W., and Clifton Street, N.W., is changed to moderate density residential.

(4) The parcel (Lot 803 in Square 2210) located at 2269 Cathedral Avenue, N.W., which is on the north side of the street and east of Hawthorne Street, N.W., is changed from parks, recreation, and open space to moderate density residential.

(5) The moderate density residential land use area east of Connecticut Avenue, N.W., between the north side of Cathedral Avenue, N.W., the west side of Hawthorne Street, N.W., and the south side of Devonshire Place, N.W., is changed to high density residential.

(6) The Department of Public Works site around the McMillan Reservoir, bounded by Michigan Avenue, N.W., 1st Street, N.W., Bryant Street, N.W., and 4th Street, N.W., is changed from the parks, recreation, and open space land use designation to the production, distribution, and repair land use designation.

(7) The residential and commercial land use designations on the south side of U Street, N.W., and Florida Avenue, N.W., between 7th Street, N.W., and Vermont Avenue, N.W., in Squares 361, 393, and 416, are changed from low to moderate density mixed use and moderate density residential to moderate and medium density mixed use.

(8) The Grimke School site located at 1925 Vermont Avenue, N.W. (Lot 827 in Square 361) is changed from moderate density residential to mixed use moderate density residential and moderate density commercial.

(9) The moderate density residential area in the Park Morton housing complex in Squares 3039, 3040, and 3043, bounded by Park Road, N.W., Lamont Street, N.W., Warder Street, N.W., and the

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mixed use area along Georgia Avenue, N.W., is changed to medium density residential.

(10) The mixed use moderate density residential and low density commercial land use area along the Georgetown waterfront that is south of K Street, N.W., and the Whitehurst Freeway, N.W., is changed to mixed use moderate density residential and moderate density commercial.

(11) The east side of Potomac Street, N.W., between Prospect Street, N.W., and mid-block toward M Street, N.W., is changed from low density commercial to moderate density residential.

(12) The mixed use high density residential and medium density commercial area in the northwestern and northeastern corners of 16th and I Streets, N.W., is changed to mixed use high density residential and high density commercial.

(13) The land use designation for the parcels located at 210 and 220 Riggs Road, N.E. (Lots 855, 856, and 211 in Square 3710), which are on the north side of Riggs Road, N.E., between the Metrorail tracks and 2nd Street, N.E., is changed from production, distribution, and repair to mixed use medium density residential and medium density commercial.

(14) The Riggs Road North Industrial Park, as defined in the Riggs Road and South Dakota Area Development Plan adopted by the Council in March 2009, bounded on the north by New Hampshire Avenue, N.E., on the east by 3rd Street, N.E., on the south by Riggs Road, N.E., and on the west by 1st Street, N.E., is changed from production, distribution and repair to mixed use moderate density residential and moderate density commercial.

(15) The Rudolph School parcel located at 5200 2nd Street, N.W., which is located on the west side of 2nd Street, N.W., between Hamilton and Ingraham Streets, N.W., is changed from local public facilities to moderate density residential.

(16) The triangular District government parcel located at 219 Riggs Road, N.E., bounded by Riggs Road, N.E. to the north, South Dakota Avenue, N.E., to the east, Kennedy Street, N.E., to the south, and 1st Place, N.E., to the west, is changed from production, distribution, and repair to mixed use medium density residential and medium density commercial.

(17) The low density residential land use area bounded by Adams Street, N.E., to the north, 31st Street, N.E., to the east, the rail line near V Street, N.E., to the south, and 30th Place, N.E. (including Lot 25 in Square 4376) to the west, is changed to moderate density residential.

(18) The parcel located at 1700 1st Street, N.W. (Lot 800 in Square 3103), at the northwestern corner of 1st and R Streets, N.W., is changed from low density residential to mixed use low density residential and low density commercial.

(19) The fringe parking lot at the southwestern corner of Michigan Avenue, N.E., and Irving Street, N.E., in Square 3499, is changed from federal to mixed use medium density residential and moderate density commercial.

(20) The Langston School parcel at 33 P Street, N.W., which is located on the north side of P Street, N.W., between North Capitol Street, N.W., and 1st Street, N.W., is changed from moderate density residential to mixed use moderate density residential and moderate density commercial.

(21) The Slater School parcel at 45 P Street, N.W., which is located on the north side of P Street, N.W., between North Capitol Street, N.W., and 1st Street, N.W., is changed from moderate density residential to mixed use moderate density residential and moderate density commercial.

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(22) The MM Washington School parcel at 27 O Street, N.W., which is located on the north side of O Street, N.W., between North Capitol Street, N.W., and 1st Street, N.W., is changed from moderate density residential to mixed use moderate density residential and moderate density commercial.

(23) Both sides of Monroe Street, N.E., west of the Metrorail tracks, and between 7th Street, N.E., and Michigan Avenue, N.E. (Lot 800 in Square 3656, and Lot 1 in Square 3655), is changed from institutional to mixed use moderate density residential and moderate density commercial.

(24) The production, distribution, and repair area bounded by Kearney Street, N.E., to the north, Franklin Street, N.E., to the south, 8th Street, N.E., to the west, and the Metrorail tracks to the east (Squares 3832, 3835, 3836, and 3839), is changed from production, distribution, and repair to mixed use moderate density residential and low density commercial.

(25) The east side of 4th Street, N.E., between Rhode Island Avenue, N.E., and Edgewood Street, N.E. (Lot 808 in Square 3629), is changed from mixed use medium density residential and moderate density commercial to mixed use high density residential and medium density commercial.

(26) The area bounded by Rhode Island Avenue, N.E., 5th Street, N.E., W Street, N.E., and the Metrorail right-of-way, is changed from production, distribution, and repair to mixed use high density residential and medium density commercial.

(27) The Florida Avenue Market plan area in Square 3585 and 3587 bounded by 4th Street, N.E., on the east and north, Florida Avenue, N.E., on the south, and the railroad tracks and New York Avenue, N.E., on the east, and the triangular area in Square 3594 bounded by Penn Street, N.E., and 4th Street, N.E., on the south, New York Avenue, N.E. on the east, and Brentwood Park on the north, are changed from production, distribution, and repair, to mixed use high density residential, high density commercial, and production, distribution, and repair.

(28) The Florida Avenue Market plan area in Squares 3588, 3589, 3591, and 3592, bounded by Florida Avenue, N.E., and Morse Street, N.E., on the south, 4th Street, N.E., on the west, Penn Street, N.E., on the north, and 6th Street, N.E., on the east, is changed from production, distribution, and repair, to mixed use medium density residential, high density commercial, and production, distribution, and repair.

(29) The Florida Avenue Market plan area in Square 3590 bounded by Florida Avenue, N.E., on the south, 5th Street, N.E., on the west, Morse Street, N.E., on the north, and 6th Street, N.E., on the west is changed from production, distribution, and repair, to mixed use medium density residential and moderate density commercial.

(30) The Hine School parcel at 335 8th Street, S.E., which is located on the west side of 8th Street, S.E., between C and D Streets, S.E., is changed from local public facilities to mixed use moderate density residential and moderate density commercial.

(31) The southwestern corner of Maryland Avenue, N.E., and Benning Road, N.E., west of 15th Street, N.W. (the C-3-A zoned portions of Squares 1027, 1049, and 1050), is changed from moderate density residential to mixed use moderate density residential and low density commercial.

(32) The southeastern corner of Maryland Avenue, N.E., and Benning Road, east of 15th Street, N.E. (the C-2-B zoned portion of Square 4509) is changed from moderate density residential to mixed use medium density residential and medium density commercial.

(33) The federal and parks, recreation and open space areas within the Southeast Federal

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Center site in Squares 770 and 771, bounded by M Street, S.E., to the north, 4th Street, S.E., to the east, Tingey Street, S.E., to the south, and New Jersey Avenue, S.E., to the west, are changed to mixed use high density residential and high density commercial.

(34) The northwest, southwest, and southeast quadrants of Square 772, which is bounded by 3rd Street, N.E., M Street, N.E., 4th Street, N.E., and N Street, N.E., are changed from mixed use medium density residential and production, distribution, and repair, to mixed use medium density residential, medium density commercial, and production, distribution and repair.

(35) The Randle School parcel located at 65 I Street, S.W., (Lot 801 in Square 643-S) is changed medium density residential to mixed use high density residential and medium density commercial.

(36) The parcels located at 5000-5026 Benning Road, S.E., and at 5002-5010 H Street, S.E., which are in the corner of the intersection of Benning Road, S.E., and H Street, S.E., are changed from moderate density residential to mixed use moderate density residential and moderate density commercial.

(37) The area bounded by Benning Road, N.E., to the north, 42nd Street, N.E., to the east, Blaine Street, N.E., to the south, and 41st Street, N.E., to the west, is changed from parks, recreation, and open space, to mixed use moderate density commercial and parks, recreation, and open space.

(38) The parcel located at 4202 Benning Road, N.E., at the northeastern corner of Benning Road, N.E., and 42nd Street, N.E. (Lot 955 in Square 5087), is changed from moderate density residential to mixed use moderate density residential and moderate density commercial.

(39) The parcels located at 3401 Benning Road, N.E., 3423-3435 Benning Road, N.E., 3355-3399 Benning Road, N.E., 502-506 34th Street, N.E., 3443-3461 Benning Road, N.E., and 3621 Benning Road, N.E., which are on the south side of Benning Road, N.E., between Kenilworth and Anacostia Avenues, N.E., are changed from medium density commercial, to mixed use moderate density residential and medium density commercial.

(40) The low density commercial area and mixed use low density residential and low density commercial area generally bounded by Eads Street, N.E., to the north, Eastern Avenue, N.E., to the east, Clay Street, N.E., to the south, and 56th Street, N.E., to the west, are changed to mixed use moderate density residential and moderate density commercial.

(41) The production, distribution, and repair area bounded by Minnesota Avenue, N.E., the CSX rail line, Sheriff Road, N.E., and Eastern Avenue, N.E.), is changed to mixed use moderate density residential and moderate density commercial.

(42) The low and moderate density residential land use designation in the area bounded by Minnesota Avenue, N.E., the CSX rail line, Sheriff Road, N.E., and Eastern Avenue, N.E., are changed to include a mixed use low density commercial land use designation.

(43) The parcels located at 4200-4279 Nannie Helen Burroughs Avenue, N.E., and at 4256-4282 Minnesota Avenue, N.E., in Square 5096, are changed from low density commercial to mixed use moderate density residential and low density commercial.

(44) The Penn Branch shopping center (Lots 838, 839, and 840 in Square 5539) is changed from mixed use low density residential and low density commercial to mixed use moderate density residential and low density commercial.

(45) The Congress Heights School parcel located at 600 Alabama Avenue, S.E., (Lot 800 in

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Square 5954), on the north side of Alabama Avenue, S.E., between Randall Place, S.E., and 7th Street, S.E., is changed from institutional to mixed use moderate density residential and moderate density commercial.

(46) The mixed use designated area south of Alabama Avenue, S.E., and east of 13th Street, S.E., in the northwest quadrant of Square 5914, is changed from mixed use medium density residential and moderate density commercial to mixed use medium density residential and medium density commercial.

(47) The commercially zoned lots along South Capitol Street, S.E., from Martin Luther King Jr Avenue, S.W., (north), to Chesapeake Street, S.E., (south), are changed from low density commercial to mixed use moderate density residential and low density commercial.

(48) The commercially zoned lots along the intersection of South Capitol Street, S.E., and Southern Avenue, S.E., are changed from low density commercial to mixed use moderate density residential and medium density commercial.

(49) The mixed use designated area located in Squares 5860 and 5861 fronting on Howard Road, S.E., or Suitland Parkway, S.E., known as the Howard Road Private Development Zone, is changed from mixed use high density residential, medium density commercial, and institutional, to mixed use high density residential, high density commercial, and institutional.

(50) Change the designation of the corridor on both sides of Martin Luther King Jr Avenue, S.E., (to a depth of 200 feet from the avenue with exceptions to be made where historic district considerations suggest otherwise) as follows:

(A) From (i) Mixed Use Moderate Density Commercial/Moderate Density Residential; (ii) Moderate Density Commercial/Medium Density Residential; (iii) Local Public Facilities; and (iv) Moderate Density Residential to Mixed Use High Density Commercial/High Density Residential the land along Martin Luther King, Jr., Avenue, S.E., within approximately 800 feet of the Anacostia Metrorail Station (exact boundaries to be determined based on streets and property ownership);

(B) From (i) Production Distribution and Repair; (ii) Local Public Facilities, (iii) Low Density Commercial; (iv) Moderate Density Commercial; (v) Mixed Use Moderate Density Commercial/Medium Density Residential; (vi) Mixed Use Moderate Density Commercial/Moderate Density Residential; and (vii) Moderate Density Residential to Mixed Use Medium Density Commercial/Medium Density Residential between the Anacostia Freeway and Talbert Street, S.E.;

(C) From (i) Local Public Facilities; and (ii) Moderate Density Residential to Mixed Use Medium Density Commercial/Medium Density Residential between Suitland Parkway and the St. Elizabeths Hospital site; and

(D) From (i) Local Public Facilities; and (ii) Mixed Use Low Density Commercial/Local Public Facilities/Medium Density Residential to Mixed Use Medium Density Commercial/Medium Density Residential on the east side of the Avenue on the St. Elizabeths Hospital site; and (F) From (i) Moderate Density Commercial; (ii) Institutional; (iii) Low Density Residential; (iv) Moderate Density Residential; and (v) Local Public Facilities to Mixed Use Medium Density Commercial/Medium Density Residential between the St. Elizabeths Hospital Site and 4th Street.

(51) Change the designation of the land within approximately 800 feet of the Congress Heights Metrorail Station (excepting cemeteries, exact boundaries to be determined based on streets and

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property ownership) from (i) Local Public Facilities; (ii) Mixed Use Moderate density Commercial/Medium Density Residential; (iii) Mixed Use Moderate Density Commercial/Medium Density Residential/Institutional to Mixed Use Medium Density Commercial/Medium Density Residential category.

(v) The District of Columbia Comprehensive Plan Generalized Policy Map, which was enacted as part of the Comprehensive Plan, is amended as follows:

(1) The Main Street Mixed Use Corridor designation along 12th Street, N.E. is extended to cover the entire retail core corridor between Michigan and Rhode Island Avenues, N.E., by changing the following areas from the Neighborhood Conservation Area designation to the Main Street Mixed Use Corridor designation: the area along 12th Street, N.E., between Otis Street, N.E., and Michigan Avenue, N.E.; and the area along 12th Street, N.E., between Everts Street, N.E., and Rhode Island Avenue, N.E.

(2) The institutional use area bounded by Taylor Street, N.E., to the north, John McCormack Road, N.E., to the east, Michigan Avenue, N.E., to the south, and Hardwood Road, N.E., to the west, is changed from being designated as part of Armed Forces Retirement Home East to being designated as part of Catholic University of America.

(3) Change the designation of the corridor on both sides of Martin Luther King Jr. Avenue, S.E., (to a depth of 200 feet from the avenue with exceptions to be made where historic district considerations suggest otherwise) as follows:

(A) From Neighborhood Conservation Area and Neighborhood Enhancement Area to Main Street Mixed Use Corridor between the Anacostia Freeway and Suitland Parkway, S.E.;

(B) From Neighborhood Enhancement Area to Main Street Mixed Use Corridor between Suitland Parkway and the St. Elizabeths Hospital site;

(C) From Land Use Change Area to Main Street Mixed Use Corridor on the east side of the Avenue on the St. Elizabeths Hospital site; and

(D) From Neighborhood Conservation Area to Main Street Mixed Use Corridor between the St. Elizabeths Hospital Site and 4th Street.

TITLE II. CONFORMING AMENDMENTS

Sec. 201. The District of Columbia Comprehensive Plan Act of 1984, effective April 10, 1984 (D.C. Law 5-76; D.C. Official Code § 1-306.01 *et seq.*), is amended as follows:

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

“(e)(1) The Mayor shall transmit 2 generalized maps—a Future Land Use Map and a Generalized Policy Map—to the Council within 90 days of the effective date of the Comprehensive Plan Amendment Act of 2010, passed on 2nd reading on November 23, 2010 (Enrolled version of Bill 18-867) (“Act”).

“(2) The maps transmitted under this section shall:

“(A) Incorporate the map amendments enacted in sections 101(u) and (v) of the Act;

“(B) Conform to the requirements of sections 223 through 226 of Chapter 200 (“the Framework Element”) of the Comprehensive Plan;

“(C) Be printed at a scale of 1,500 feet to 1 inch;

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“(D) Use standardized colors for planning maps;

“(E) Indicate generalized land use policies; and

“(F) Include a street grid and any changes in format or design to improve the readability and understanding of the adopted policies.

“(3)(A) The Council shall hold a public hearing to determine if the maps transmitted under this section conform to the requirements of paragraph 2 of this subsection. If the Council determines that a map transmitted under this section conforms as required, the Council shall approve the map by resolution.

“(B) If the Council determines that a map transmitted under this section does not conform to the requirements of paragraph 2 of this section but requires corrections to conform, the Council shall approve the map by resolution, identifying the required corrections, and the Mayor shall publish a new map with the required corrections.”.

(b) Section 9a (D.C. Official Code § 1 -306.05) is amended by adding a new subsection (c) to read as follows:

“(c) Within 90 days of the effective date of the Comprehensive Plan Amendment Act of 2010, passed on 2nd reading on November 23, 2010 (Enrolled version of Bill 18-867), the Mayor shall publish the Comprehensive Plan, as amended, in its entirety. The Comprehensive Plan shall be consolidated by the District of Columbia Office of Documents into a single new or replacement title of the District of Columbia Municipal Regulations to be designated by the District of Columbia Office of Documents. The Comprehensive Plan shall be published in the format furnished by the Mayor and need not conform to the Office of Documents’ publication standards.”.

Sec. 202. Section 7(b) of the District of Columbia Comprehensive Plan Act of 1984 Land Use Element Amendment Act of 1984, effective May 23, 1990 (D.C. Law 8-129; D.C. Official Code § 1-306.07(b)), is amended by striking the date “March 8, 2007” and inserting the phrase “the effective date of the Comprehensive Plan Amendment Act of 2010, passed on 2nd reading on November 23, 2010 (Enrolled version of Bill 18-867)” in its place.

TITLE III. PUBLICATION REQUIREMENT EXEMPTION

Sec. 301. Notwithstanding section 502, section 308(b) of the District of Columbia Administrative Procedure Act, effective March 6, 1979 (D.C. Law 2-153; D.C. Official Code § 2-558(b)), and section 204 of the District of Columbia Administrative Procedure Act of 1975, October 8, 1975 (D.C. Law 1-19; D.C. Official Code § 2-602), the text, maps, and graphics of the District elements of the Comprehensive Plan for the National Capital, as amended by this act, need not be published in the District of Columbia Register to become effective.

TITLE IV. NATIONAL CAPITAL PLANNING COMMISSION REVIEW

Sec. 401. Applicability.

No District element of the Comprehensive Plan for the National Capital shall apply until it has been reviewed by the National Capital Planning Commission as provided in section 2(a) of the National Capital Planning Act of 1952, approved June 6, 1924 (43 Stat. 463; D.C. Official Code § 2-1002(a)), and section

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423 of the District of Columbia Home Rule Act, approved 24, 1973 (87 Stat. 792; D.C. Official Code § 1-204.23).

TITLE V. GENERAL PROVISIONS

Sec. 501. Fiscal impact statement.

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

Sec. 502. Effective date.

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia