

GOVERNMENT OF THE DISTRICT OF COLUMBIA

District of Columbia
Office of Planning



PRESS RELEASE

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DC Office of Planning Announces Release of District's Final Height Act Recommendations

Recommendations to Change Federal Height Act Transmitted to Congress

(WASHINGTON, D.C.) – Today, the DC Office of Planning (OP) announced the release of the District of Columbia's final recommendations for the congressionally-requested Height Master Plan. The District is recommending reasonable and modest modifications to the Height Act that would give the District more autonomy to set different building height maximums through a collaborative future Comprehensive Plan process with the National Capital Planning Commission (NCPC), local citizens and the Council of the District of Columbia in limited areas in the city – while respecting the significant federal interest within the L'Enfant City.

This approach shifts more decision-making to local control – especially in areas where the federal interest is less significant – in order to accommodate future population growth while at the same time protecting prominent national monuments, memorials, and the unique character of local neighborhoods. Doing so will ensure a more prosperous, diverse, and vibrant District of Columbia, where District residents enjoy a diversified, stronger, and more resilient economy and the District's social and economic diversity is protected. The alternative—of retaining unchanged a century-old law that artificially constrains the city's ability to accommodate growth—will place the District on the path of becoming a city comprised primarily of national monuments, surrounded by exclusive neighborhoods affordable only to the very few.

The District received a number of public comments expressing concerns about or opposition to raising heights now. The District's intent is not to raise height with its recommendations. Rather, the District is asking Congress to give it the ability under the Height Act to make these determinations in consultation with its residents in the future.



The District proposes the following final recommendations to modify the Height Act:

1. **Amend the Height Act to create new limits based on the relationship between the street width and building height within the L'Enfant City.** The District recommends using a ratio of 1: 1.25 for street width to building height, resulting in a new maximum building height of 200 feet for 160-foot wide streets in the L'Enfant City. This approach would apply an urban design-based standard reflecting the proportionality between individual streets and their buildings to ensure a pedestrian-scaled streetscape with lots of light and air without the strictures of late 19th century fire safety limitations. To ensure that the tops of any future taller buildings contribute to the use of and views from rooftops, mechanical penthouses would be required to be enclosed within the upper floors and within the new height cap.
2. **The limits currently established in the federal Height Act should remain in place unless and until the District completes an update to the District Elements of the Comprehensive Plan where targeted area(s) that meet specific planning goals and also do not impact federal interests are identified. Under this recommendation, building heights in targeted areas may be proposed to exceed the maximums under the federal law; and these may be authorized through the existing Comprehensive Plan process, pending Congressional approval. Should such targeted exceptions be authorized through the Comprehensive Plan, the Height Act would remain in place for all other areas both inside and outside of the L'Enfant City.** The federal interests in height will continue to be adequately protected by the statutory federal role by NCPC and the Congress in approving the District's Comprehensive Plan and the two federal members of the five-member Zoning Commission, which must approve zoning amendments reflecting Comprehensive Plan changes. The Comprehensive Plan and zoning amendment processes both require extensive District resident participation and review and must be completed in order for any changes in height to be implemented in the District.
3. **Amend the Height Act to remove any federal restrictions on the human occupancy of penthouses and set a maximum height of 20 feet and one story.**

The District also commits to including viewshed protection to nationally significant structures such as the U.S. Capitol and the Washington Monument. The City will work with NCPC to update the Federal and District Elements of the Comprehensive Plan to include those protections.

This joint study, conducted with NCPC, explored the impact of strategic changes to the federal Height of Buildings Act of 1910 (The Height Act) and determined the extent to which the Height Act continues to serve both the federal and District government interests. The Height Act is a federal law which provides uniform restrictions on the height of all buildings within the District of Columbia boundaries.

Congressman Darryl Issa, Chair of the U.S. House of Representatives Committee on Oversight and Government Reform, made the request to Mayor Vincent C. Gray and NCPC in November 2012.

The District transmitted its final recommendations and evaluation report to Congress today. NCPC approved its final recommendations on November 19th. For more information about the Height Master Plan, please visit www.planning.dc.gov and www.ncpc.gov/heightstudy.

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