

# GOVERNMENT OF THE DISTRICT OF COLUMBIA

## ADVISORY NEIGHBORHOOD COMMISSION 3A



### RESOLUTION REGARDING TEXT AMENDMENT ZC 25-13 TO IMPLEMENT WISCONSIN AVENUE DEVELOPMENT FRAMEWORK

As one of the two ANCs affected by the proposed text amendment ZC 25-13 for rezoning the Wisconsin Avenue corridor through upper Northwest Washington, ANC 3A has reviewed the proposal and identified several elements that cause us to oppose approval of the draft zoning language as it has been presented. We strongly recommend that those elements be reassessed and adjusted to address the major shortcomings, before the Zoning Commission proceeds with a text amendment to rezone that corridor:

- Insufficient provisions for affordable housing
- Absence of provisions for public input on design of major proposed projects
- Inadequate information and community engagement with ANCs and residents on the proposed zoning changes

#### 1. Insufficient provisions for affordable housing

Adding affordable housing is a priority for our ANC and for Ward 3 as a whole, including housing to accommodate individuals and households in a wide full range of income levels and family sizes.

##### a. Affordable housing proportionate to increased matter-of-right FAR

The proposed text amendment would apply IZ+ to all private property proposed for residential projects along the Wisconsin Avenue corridor while also allowing a maximum Floor Area Ratio (FAR) several times higher than the FAR now allowed as a matter of right on the properties. We are concerned that applying the schedule of affordable housing requirements in the current IZ+ program would not be adequate to match the much greater density that OP proposes as a matter of right on the Wisconsin Avenue corridor, and that would severely reduce the chances to add the number and range of affordable units that are needed in the area.

The District's current IZ+ program allows "bonus density" (FAR) up to 125% of the otherwise allowed FAR, while the proposed maximum FAR allowed in the proposed language of ZC 25-13 could be 300% or more of the FAR that is currently allowed. We understand the fear that developers would not construct large multi-family residential projects on the corridor if they have to meet increased inclusionary zoning requirements, but the OP Setdown Report in this proceeding does not provide a quantitative basis for providing such a significant increase in the matter-of-right density without commensurate requirements for community benefits such as affordable housing.

##### b. Fuller Range of Affordable Housing Options

Current IZ+ requirements that the text amendment proposes to apply to properties on Wisconsin Avenue would provide for affordable units to accommodate households with annual incomes of 80% of Area Median Household Income (AMI) or 60% of AMI; however, there is no requirement that the affordable units be built for income levels below 80% of AMI. That would exclude the great majority of people eligible for affordable housing.

Many developers choose to build affordable units that are studios or one-bedroom apartments rather than units to accommodate a family with more than one child, but that does not meet the full range of housing needs, including larger size units as well as household incomes of 60% of AMI or below, not just 80% of AMI (which currently corresponds to annual income over \$100,000 for a family of four).

There is very little publicly owned land available in Ward 3 that could be used for affordable housing. If the zoning for all new residential projects does not provide for affordable housing beyond the requirements of the current IZ+ program on all the privately-owned land on the main commercial corridors, ANC 3A struggles to imagine where

affordable units could be built in the ward for households at 60% or 50% of AMI or less, including units with enough bedrooms for families with children.

With such a great shortage of housing affordable to lower income households across the District and particularly in Ward 3, the proposed text amendment does not offer acceptable policy for the Wisconsin Avenue corridor, which is the major commercial street in our ANC and in the ward and is best served by frequent bus and rail transit, public schools, and other services. The District's plans and programs have to take those factors into account.

We recommend that ZC 25-13 should require property owners proposing projects along the Wisconsin Avenue corridor to provide affordable housing in proportion to the increased FAR requested for the project compared to the FAR currently allowed as a matter of right. We also urge that the affordable housing requirements include a broader range of options than would be achieved under current IZ+ program, such as:

- an increased number of units to accommodate households with 80% of AMI
- a share of affordable units at 60% of AMI or lower (rather than 80% of AMI)
- a share of affordable units that would have 3 or 4 bedrooms, to accommodate families
- other community amenities (community meeting room, affordable day care center, etc.) to substitute for building additional affordable housing beyond the current IZ+ requirement

**c. Potential Adjustments to IZ Requirements on the Wisconsin Avenue Corridor**

The Zoning Commission adopted the initial IZ+ requirements and has the authority to adopt adjustments. It can ask the OP staff to develop a table showing how the graduated scale in the current IZ+ program could be extended to increases in FAR beyond 125% of the FAR currently allowed as a matter of right, reflecting levels the text amendment would allow, including potentially adjustments to incorporate the above options.

Changing zoning later in a way that would remove significant rights for private development would raise financial and legal challenges, so it is important to take anticipated needs into consideration now. We don't want to recommend a course that the District is very likely to want to take back in coming years, when there may be even fewer opportunities to build affordable housing and less latitude to adjust regulatory requirements.

**d. Exemptions for IZ Requirements for Properties Covered by the Text Amendment**

At the ANC 3E November meeting, OP mentioned it had discussions with WMATA about whether WMATA properties in the Wisconsin Avenue corridor could be exempted from IZ+ requirements as part of ZC 25-13. The ANC believes it would be unfortunate to exclude any large private property from IZ+ provisions of the text amendment. ANC 3A recommends that any exemptions to inclusionary zoning requirements applicable to proposed residential projects along the Wisconsin Avenue corridor should have to be requested for the individual project, and should not be part of the proposed text amendment.

**2. Absence of provisions for ANC or community input on design**

The Wisconsin Avenue Development Framework issued by OP in February 2024 emphasized that development on Wisconsin Avenue should be vibrant, attractive, community-friendly, and sensitive to the scale and character of surrounding residential streets and blocks. In OP presentations prior to setdown of ZC 25-13, ANCs and other stakeholders were assured that design review would be part of proposed development guidelines and regulations. As recently as the month before the ANC November meetings, constituents and ANC Commissioners were still expecting that OP's proposal for rezoning upper Wisconsin Avenue would provide some form of design review. But presentations made clear that the proposed text amendment had removed any provisions for design review.

OP staff explained that they had not been able to include design review in the proposed rezoning, but they had added a series of design elements to the language that are measurable and observable such as rear stepdowns, number of public entrances, share of the front facade that is along the property line, and amount of window area.

The proposed language would mean if ZC 25-13 is approved as presented, development projects will be a matter of right up to the maximum possible height and density that could be allowed on the property under the current Comprehensive Plan and Future Land Use Map, and there would be no design review by ANCs or the public.

Though a PUD would still be an option, it appears that there would be little incentive for a PUD in the Wisconsin Avenue corridor if ZC 25-13 is adopted. PUDs have offered a constructive way for ANCs to negotiate with property owners for affordable housing and other important community amenities in a project, including design, in exchange for additional density, and the proposed text amendment would largely remove these opportunities.

Negotiations with an ANC over community amenities in a PUD could add some delay in a development project, but it would still be a benefit to the community for ANCs to be able to work with developers on a PUD when a large project is contemplated, especially if the project involves FARs multiple times the density that would currently be allowed on the property.

If no provisions for requiring design review by ANCs or members of the community are adopted as part of ZC 25-13, the ANC would ask that property owners and developers along the Wisconsin Avenue corridor would voluntarily attend an ANC public meeting to describe their project and take questions and comments on design and other elements of the proposal. We have found that comments from ANC Commissioners and constituents can be helpful, whether they relate to design or other questions about what the project will involve.

### 3. Inadequate Communication and Community Engagement

ANC 3A was also disappointed and troubled by the shortcomings in information sharing and community outreach by OP staff on the proposed text amendment ZC 25-13. We have been told that OP has decided to rely on local ANCs for communicating with the public about plans and proposed text amendments, but on this proposal, we got very little information about the zoning language or its likely effects. The OP presentations were brief, only weeks before the hearing date, and there were few chances for members of the public to hear from OP or get questions answered. There were no community meetings or ANC Commissioner information sessions.

There also have been almost no illustrations of how matter-of-right projects on the corridor would look if the proposed text amendment goes into effect and property owners make use of the proposed zoning changes.

ANC 3A has been tracking OP work on plans for the Wisconsin Avenue corridor, and hosted or co-hosted several OP presentations on the proposed Wisconsin Avenue Development Framework and OP's intention to put those guidelines into zoning language. Though OP was not in touch with ANC 3A between July 2024 and September 2025 on this proceeding, the ANC invited OP to make a presentation on ZC 25-13 at the October 2025 public meeting.

Public participation and public awareness of the proposed text amendment in our ANC seemed very limited, and most of those participating and offering comments at the meetings seemed to know about the issue because of their organizational affiliations. Some of the participants noted that OP had not met with local schools or other institutions, neighborhood associations, or groups advocating for housing.

It should be possible for OP to develop illustrations showing what the zoning changes could mean for the appearance of new structures on Wisconsin Avenue and for the appearance of the corridor, particularly specific illustrations of the blocks south of Tenley Circle, shown from the corridor and from surrounding residential areas, compared to the appearance today.

The level of development on Wisconsin Avenue that would be allowed in the proposed text amendment represents such significant changes and potential impacts for so many people and the entire region, reaching several decades into the future, it deserves and demands a higher level of attention.

We would strongly recommend that OP undertake additional outreach to local stakeholders and provide further information to residents, businesses and institutions about what OP has proposed for the Wisconsin Avenue corridor and what that could mean for the appearance of the community, including more illustrations of the blocks in our ANC area.

If the Zoning Commission decides to take a first vote on the proposed text amendment after this initial hearing about ZC 25-13, we would also encourage allowing more than just 30 days before a second vote, to provide enough time for additional community presentations, public discussions and comments. That is especially important when a proceeding is held at this time of year, when so many people are taking time off and not following their regular schedule and are not available to attend meetings, handle email, analyze issues, or prepare comments.

We recognize the pressure to take action and not delay putting new zoning regulations in place, so property owners will have clear guidelines about what will be allowed on their holdings on Wisconsin Avenue. But this is a moment when the commercial real estate market is at a low point because of interest rates, cost increases, and uncertainty about future demand. Several residential developments on Wisconsin have not been fully occupied, and others are just being completed and looking for residents to occupy those units. Some local developers are pulling back their plans because District population growth would not support the market demand their projects would need.

A short delay in adopting a text amendment for Wisconsin Avenue would not seem likely to substantially disrupt long-term real estate development.

There are also consequences of acting without sufficient groundwork. Experience shows how difficult it can be to change the rules once a new regulatory framework has been adopted. Taking away what has been a matter of right affects the market value of property and the opportunities available to developers, many of whom would already have made an investment based on a different expectation of their options.

## SUMMARY OF RECOMMENDATIONS

### Additional Requirements for Affordable Housing

→ ZC 25-13 should require property owners proposing projects along the Wisconsin Avenue corridor to provide affordable housing in proportion to the increased FAR requested for the project compared to the FAR currently allowed as a matter of right. We suggest this could involve a number of different options, or a combination (beyond the proposed 12% to 18% or 20% of units that would be affordable, as currently required under IZ+), such as:

- an increased number of units to accommodate households at 80% of AMI
- a share of affordable units at 60% of AMI or lower (rather than 80% of AMI)
- a share of affordable units that would have 3 or 4 bedrooms, to accommodate families
- other community amenities (community meeting room, affordable day care center, etc.) to substitute for building additional affordable housing (beyond the proposed

→ Any exemptions to inclusionary zoning requirements applicable to proposed residential projects along the Wisconsin Avenue corridor should have to be requested for the individual project.

### Options for Design Review

→ If no provisions for requiring design review by ANCs or the public are adopted as part of ZC 25-13 for proposed projects significantly beyond what is possible under current zoning along the Wisconsin Avenue corridor, the ANC would ask that property owners and developers attend an ANC public meeting to describe their project and take questions and comments on design and other elements of the proposal. (The presentation would be voluntary, unless the project is a PUD or a Large Tract Review is required, or the Zoning Commission decides to adopt provisions such as those that OP proposed in its Wisconsin Avenue Development Framework issued in February 2024 at p. 42 of 60: “It is recommended that Design Review, as currently described in the zoning regulations, be applied to the high-density mixed-use areas covered by the proposed Friendship Heights Metro Zone and Tenleytown Metro Zone. The purpose of Design Review is to promote high-quality, contextual design, by allowing for review against specified criteria as identified in this Development Framework. The process entails a public hearing with review and approval by the Zoning Commission.”)

### Additional Communication and Community Engagement

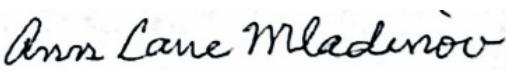
→ The Zoning Commission should ask OP to undertake additional outreach to local stakeholders and provide further information to residents and businesses and institutions about what OP is recommending in ZC 25-13 for changes in zoning regulations covering the Wisconsin Avenue corridor.

→ If the Zoning Commission decides to take a first vote on the text amendment after the initial hearing on ZC 25-13, the schedule should allow more than just 30 days before a second vote, to provide enough time for community presentations, public discussions and comments, especially during the holiday season when many people are not following their regular schedule of work days, meetings, email and other communications.

This resolution was approved by ANC 3A by a vote of 3 - 1 at its duly noticed public meeting on November 18, 2025, at which a quorum was present. (Three of the five Commissioners constitute a quorum.) By this same vote, the Commission designated the Chair or his designee to represent ANC 3A on this matter.



Chair



Secretary