

U.S. COMMISSION OF FINE ARTS

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26 November 2013

Dear Chairman Bryant:

In its meeting of 21 November, the Commission of Fine Arts was pleased to hear an information presentation on the recommendations of the Height Master Plan report recently adopted by the National Capital Planning Commission (NCPC), prepared in a year-long process undertaken with the District of Columbia Office of Planning in response to a request by the Chairman of the House Committee on Oversight and Government Reform. The Commission of Fine Arts appreciates the opportunity to comment on this issue of such great national symbolic importance.

The Commission affirmed that the physical character of Washington, D.C., the capital of the United States, is unlike any other city in the nation, with great symbolic value for all Americans. In its enduring constancy as a recognizable image of democracy across the nation and the world, Washington is the visual expression of the idealism of principle upon which our nation was founded. This image has been shaped and protected since 1910 by the Building Height Act, giving Washington its distinctive horizontal skyline punctuated by iconic architectural forms that symbolize the nation's history and governance, and emphasizing the predominance of public values. In the spirit of protecting this legacy, all the members of the Commission expressed strong support for the NCPC recommendation that the existing federal height limitations should remain in effect throughout the District of Columbia.

In their discussion of the NCPC report, the Commission members characterized the existing system of height regulation as being clear, time-tested, and equitable in its application, whereas any new process for creating exceptions would likely be unwieldy to administer in a manner that would adequately protect federal interests for future generations. While recognizing that taller buildings are part of the visual character of many American cities, they commented that Washington's special status as the nation's capital is appropriately expressed in its physical form, a part of our national heritage that must be judged as far more momentous than issues of real estate development.

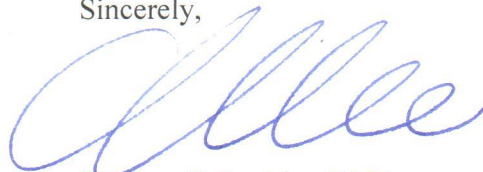
The Commission members noted that many concerns addressed in the NCPC process and report raise fundamental questions about any urgency for changing the federal height limit. They noted that the existing envelope available for development in Washington is largely constrained by the District of Columbia's zoning regulations, rather than by the federal height limit; they agreed that there is a lack of compelling evidence for changing the limit. They also cited the general lack of advocacy by the development community, the lack of support from the District of Columbia Council, and the overwhelmingly negative reaction from District residents for raising the height limit. Furthermore, they cautioned that changing the existing height limit for specific excepted locations would introduce an unpredictable and unwelcome element of negotiability in the city's form. The transparency

and universality of the current height limit should not be compromised; any changes would almost certainly be irreversible and should be undertaken only after careful study. They concluded that substantial alteration of the height limit would be an attempt to fix a system that is not broken, and that the public value of the existing law in its integrity should be recognized.

In supporting the NCPC's conclusion that federal interests permeate the District of Columbia as a whole, the Commission members noted Washington's comprehensive system of public parks established in the Senate Park (McMillan) Commission Plan of 1901, extending outward from the commemorative core of the city envisioned in the L'Enfant Plan set within the topographic bowl of low hills and escarpments. They cited the examples of this national park system, which includes—in addition to the Mall system in the heart of the city—stream valleys such as Rock Creek Park, the Potomac and Anacostia waterfronts, and the circle of Civil War-era forts. While supporting the NCPC recommendation to continue studying the alteration of height limitations beyond the L'Enfant city and the monumental core of Washington, they emphasized the complex interdependence between the city's form and its historic and cultural landscapes; these issues require a comprehensive assessment if any potential for limited change to building height regulation is studied in the future. In its endorsement of the NCPC report, the Commission also made no objection to several other recommendations, including the provision to allow limited occupancy in penthouses, the deletion of outdated fire safety regulations, and the strengthening of policies to protect significant viewsheds within the federal and District elements of Washington's *Comprehensive Plan*.

The Commission members expressed appreciation for the NCPC's careful study of this nationally significant topic, as well as for the thoughtful and impassioned testimony from numerous members of the community and representatives of civic organizations. The Commission, in its role to advise the President and Congress on matters affecting the design of the national capital city, looks forward to participating in any further discussion of the city's special design character and possible changes to the building height limit.

Sincerely,



Thomas E. Luebke, FAIA
Secretary

Preston Bryant, Jr., Chairman
National Capital Planning Commission
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cc: Hon. Darrell Issa, Chairman, House Committee on Oversight and Government Reform
Harriet Tregoning, Director, D.C. Office of Planning