

§910.1

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AUTHORITY: Sec. 6(8) Pennsylvania Avenue Development Corporation Act of 1972 (40 U.S.C. 875(8)).

SOURCE: 48 FR 36642, Aug. 23, 1982, unless otherwise noted.

Subpart A—General

§910.1 Policy.

(a) The Pennsylvania Avenue Development Corporation Act of 1972, Pub. L. 92-578, October 27, 1972, (the *Act*), (40 U.S.C. 871 *et seq.*) established the Pennsylvania Avenue Development Corporation (the *Corporation*) with jurisdiction over the Pennsylvania Avenue Development Area (*Development Area*). The Development Area is generally described as an area in Washington DC, bounded by Pennsylvania Avenue, NW., on the south, East Executive Drive on the west, 3rd Street, NW., on the east, and E and F Streets, NW., on the north.

(b) Prior to creation of the Corporation, the deterioration of the Development Area had an adverse impact upon the physical, economic, and social life of Washington, DC. The Corporation was created as the vehicle to develop, maintain, and use the Development Area in a manner suitable to its ceremonial, physical, and historic relationship to the legislative and executive branches of the Federal government, to

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the governmental buildings, monuments, memorials, and parks in and adjacent to that area, and to the downtown commercial core of Washington, DC. The Corporation was directed to prepare a development plan for the Development Area and to submit that plan to the United States Congress. Congress accepted that plan and directed its implementation by the Corporation. The Corporation through a broad range of statutory powers has begun this implementation process.

(c) The Pennsylvania Avenue Plan—1974, as amended (*the Plan*) is a blueprint for social, economic, and architectural rejuvenation of the Development Area. Its goal is to make the Development Area once again a relevant and contributing element of Washington, DC. With the implementation of *the Plan*, the Development Area will become a showpiece of the Nation's Capital, proudly displaying the successful joint efforts of the Corporation, other Federal and District of Columbia government agencies, and private entrepreneurs.

(d) *The Plan*, containing the goals and objectives for *development*, is supplemented by various adopted policies and programs of the Corporation. *The Plan*, in conjunction with these policies and programs, represents the basis upon which the *development* and rejuvenation of the Development Area will proceed, whether publicly or privately inspired and accomplished. These policies and programs amplify, elaborate, and refine the planning and urban design concepts expressed in *the Plan*.

§910.2 Purpose.

(a) Implementation of *the Plan* occurs through two component actions: public improvements construction and square development. Public improvements construction consists of implementation by the Corporation of the Public Improvements Program which is a comprehensive plan for the design and construction of public amenities in public spaces and selected thoroughfares within the Development Area. This program outlines the details of roadway and sidewalk improvements, public space configuration, and pedestrian amenities. Square development consists of design and construction of

development projects primarily on city blocks, known as squares, within the Development Area. These *development* projects are generally pursued by private entrepreneurs with varying degrees of participation and involvement by the Corporation, through such means as land assemblage and leasing.

(b) This part 910, together with the *Square Guidelines* applicable to the *coordinated planning area*, pertains solely to square development and specifies the controlling mechanism for implementation of *the Plan* required by Chapter Six of *the Plan*.

§910.3 Program administration.

(a) This part 910, together with *Square Guidelines*, described below, provides interested parties with the urban planning and design information sufficient to understand and participate in the process of square development within the Development Area.

(1) This part 910, General Guidelines and Uniform Standards for Urban Planning and Design of Development, sets forth the general planning and design goals and objectives which govern the implementation of *the Plan*, specifies standards which are uniformly applicable to all *developments* throughout the Development Area, and provides a glossary of defined terms applicable to this part as well as *Square Guidelines*.

(2) *Square Guidelines* specifies detailed urban planning and design requirements and recommendations which are applicable to each particular *coordinated planning area*, a *coordinated planning area* being a square, a portion of a square, or a combination of squares. These requirements and recommendations set forth intentions and refinements of *the Plan* in light of the identified Planning and Design Concerns specified in subpart B of this part 910. Each set of *Square Guidelines* is adopted by the Board of Directors, issued by the Chairman, and is available, upon request, at the Corporation's office.

(3) *Square Guidelines* are developed in the context of the existing environment. Several provisions in the *Square Guidelines* are, therefore, established on the basis of certain assumptions in terms of existing buildings, a particular traffic pattern and roadway configuration, a market condition for a

particular land use, etc. In the event of a major change or casualty which would render it impossible or impracticable to meet certain requirements of *Square Guidelines*, the Corporation would expect to develop and issue up-to-date *Square Guidelines*. This statement does not, of course, preclude the Corporation from issuing amendments to *Square Guidelines* from time to time on any other basis.

(b) Pursuant to section 7(b) of the Act, each proposal for *development* within the Development Area must be submitted to the Corporation to determine its consistency with *the Plan*. The Corporation's adopted development policy, entitled "Development Policies and Procedures," sets forth the process for this determination. In determining whether a *development* proposal is consistent with *the Plan*, the Corporation shall review the proposal against all adopted Corporation programs, policies, and regulations, including:

- (1) This part 910.
- (2) Square Guidelines.
- (3) Development Policies and Procedures.
- (4) Historic Preservation Plan.
- (5) Energy Guidelines.
- (6) Side Street Improvements Program.
- (7) Policy on Environmental Quality and Control (36 CFR part 907).
- (8) Pennsylvania Avenue Lighting Plan.
- (9) Public Improvements Program.
- (10) Affirmative Action Policy and Procedure (36 CFR part 906).
- (11) Policy and Procedures to Facilitate Successful Relocation of Businesses and Residents within the Pennsylvania Avenue Development Area.
- (12) All other programs, policies, and regulations that may be approved and adopted by the Board of Directors from time to time.

(c) Pursuant to the Act, Federal and District of Columbia agencies and departments may exercise such existing authority and lawful powers over urban planning and design features of *development* as are consistent with *the Plan*. No department or agency may release, modify, or depart from any feature of *the Plan* without the prior approval of the Corporation.