



GOVERNMENT OF THE DISTRICT OF COLUMBIA

Advisory Neighborhood Commission 2E

Representing the communities of Burleith, Georgetown, and Hillandale

3265 S Street, NW • Washington, DC 20007
(484) 885-8814 • anc2e@dc.gov

June 2, 2024

Sharon Kershbaum
Director
District Department of Transportation
1100 4th Street SW, Third Floor
Washington, DC 20004
Sharon.Kershbaum@dc.gov

Brian Hanlon
Director
Department of Buildings
1100 4th Street SW
Washington, DC
Brian.Hanlon@dc.gov

RE: The District Department of Transportation and Department of Buildings Joint Rulemaking for Permanent Streatery Guidelines

Dear Director Kershbaum and Director Hanlon,

On June 2, 2025 ANC 2E held its regularly scheduled public meeting, which was properly noticed and attended by seven commissioners, constituting a quorum. At this meeting the Commission adopted the following resolution by a vote of (7-0-0) with regard to the above-referenced matter:

In December 2024, ANC 2E commented on the proposed Department of Transportation (DDOT) **Permanent Streatery Guidelines**. The guidelines impact many areas of ANC 2E, both in the commercial area and mixed use areas, in the Federal Historic District (which will have additional Old Georgetown Board review), and in parts of ANC 2E that are not a Federal Historic District. ANC 2E's comments can be found [here](#) and focused on key issues, including:

- **Overhead Structures:** ANC 2E strongly opposed the use of any overhead structures beyond umbrellas. Washington's historic streetscapes, including that of Georgetown's Federally Historic District, are a national treasure. Our city guidelines should be honoring our streetscapes, not obstruction.
- **Maintenance and Enforcement:** Key among expectations of a well-managed program should be public health considerations, given the rodent issue in many commercial areas, and the safety of pedestrians who walk in and around streateries. This program must complement other programs, and thus enforcement needs to occur. We especially urged that the space under any platforms have strict cleaning schedules given rodents, and streateries

COMMISSIONERS:

Kishan Putta, District 1 Topher Mathews, District 2 Paul Maysak, District 3
Joe Massaua, District 4 Mimsy Lindner, District 5 Gwendolyn Lohse, District 6
Daniel Chao, District 7 John DiPierri, District 8

are located – per city regulations – multiple feet away from signaled intersections, crosswalks, bus stops, or driveway/alleys. Currently, violations are occurring, and no enforcement is being conducted.

- **Vacant Streateries.** The guidelines were created for active, busy streateries at which people are enjoying socialization, food and the outdoors. The city should be clear that if a streaterie is not used and is left vacant for months due to a closure, building sale, etc., the streaterie should be removed. A new tenant can re-apply for the streaterie and have it replaced.

After a full day of hearing public testimony and review of community comments such as those from ANC 2E, DDOT's Public Space Committee made no substantive changes to the Guidelines noting city rulemaking would address streaterie enforcement. Therefore, the above concerns remain, and ANC 2E urges DDOT/DOB to incorporate ANC 2E's comments on the currently **proposed DDOT and Department of Building (DOB) joint rule making in the DC Federal Register for permanent streateries**. *Self-enforcement does not work. Without city enforcement of the rules, the rules are meaningless.*

1. **Chapter 43: Newly proposed section 4315 STREATERY INFRACTIONS.** This section lacks detail on the who, how, and when the city will address a streaterie infraction when such occurs. Communities must have clarity on the enforcement process of this Public Space program.

- **Request: Change 4315.2:** Clarify how a Class 2 infraction is handled for streateries. The what (fee level?), how (process?) and who (agency?) is not defined anywhere specific to the Streateries, and existing infractions processes do not translate to streateries. For example, should ANC 2E/the city assume a restaurant operating an unpermitted streaterie will have multiple times to fix the lack of a permit, and can continue to operate unpermitted for many months?
- **Request: Change 4315.3:** Clarify what a Class 3 infraction will mean for streateries. Define the what, how and who will be responsible for addressing the infraction. The proposed rules that DDOT/DOB decided to include in the list of Class 3 infractions are significant in nature for a local community. Therefore, there will be a significant negative impact on our community should Class 3 infractions not actually get enforced, e.g., streateries can be used to store trash, signage/advertising/lights can be placed on streateries, loud music can be played on streateries, food prep and bars can be set-up on streateries, trash enclosures can be built on streateries. *Enforcement needs to occur, not just warnings.*

2. **Chapter 45: STREATERY TYPES AND LOCATION CRITERIA**

- **Request: Section 4501.6:** Clarify what type of exceptions and what exception process exists for Streateries that want to be located on roads that are classified as Primary Arterials. The majority of streateries in our ANC are on Primary Arterials, and we

understand from our Business Improvement District that these Streateries can stay. Do these restaurants need to apply for an exception from Public Space?

- **Request: Section 4501.9:** Clarify that an Alley streaterie cannot make an alley no longer operational for 24/7 transportation needs should the alley be narrow and/or one-lane; if applicants can file for exceptions to this, clarify the what public comment process used to fully close down a public right of way like an alley.
- **Request: Section 4506.3:** Require all streateries, including those in alleys, file a building permit. If a structure is not built, the applicant would not be operating a streaterie but a Sidewalk Café. Alley streateries must have the same documentation and thus enforcement requirements as other streateries.

3. Chapter 45. Section 4507. STREATERY PERMIT REVIEW PROCESS

- **Request: Section 4507.2:** Clarify that streateries in the Federal Historic District *will comply with Streaterie Guidelines issued by the Old Georgetown Board (OGB)*. For several years, our ANC has been working with the Georgetown BID and the Old Georgetown Board towards having a set of OGB-design guidelines specific to the Federal Historic District, e.g. no overheads, no umbrellas with advertising, use of specific materials. Moreover, given ongoing concerns among all our community organizations about forever use of Jersey Barriers for streateries, these OGB guidelines will evolve as new materials and design options develop for the Federal District. The reality of such an agreement among our community and the OGB should be acknowledged and incorporated into this joint rule making for the Federal Historic District.

ANC 2E welcomes a dialog with DDOT/DOB on any of the above.

Commissioner Gwendolyn Lohse (2E06@anc.dc.gov) is the Commission's representative in this matter.

Respectfully submitted,

A handwritten signature in black ink, reading "Gwendolyn Lohse", followed by a horizontal line extending to the right.

Gwendolyn Lohse
Chair, ANC 2E

CC: Brooke Pinto, Ward 2 Councilmember
Christina Henderson, At-Large Councilmember
Chair Garrett, Public Space Committee, District Department of Transportation
H. Alan Brangman, Chair, Old Georgetown Board

Tom Luebke, Secretary, U.S. Commission of Fine Arts
Sarah Batcheler, Assistant Secretary, U.S. Commission of Fine Arts
Deborah Kerson Bilek, Chief Executive Officer, Georgetown Business Improvement District
Amy Titus, President, Citizens Association of Georgetown
Faith Bockerick, VP of Economic Development, Georgetown Business Improvement District
Brittany Sawyer, Executive Director, Citizens Association of Georgetown
Stephanie Bothwell, Chair of Urban Landscape Committee, Citizens Association of Georgetown
Brian Romanowski, Director of Constituent Services, Councilmember Brooke Pinto
Ana Berrios-Vázquez, Director of Constituent Services, Councilmember Christina Henderson
Christophe Wassmer, Ward 2 Liaison, District Department of Transportation
Chet Edelman, Special Assistant to Director, District Department of Transportation
Toni Cheri, Historic Preservation Compliance Specialist, Office of Planning