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ZONING COMMISSION
District of Columbia
CASE NO. 14-16
EXHIBIT NO. 16
ZONING COMMISSION
District of Columbia
CASE NO. 14-16
EXHIBIT NO. 16

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING**

AND

Z.C. ORDER NO. 14-16

Z.C. Case No. 14-16

(Text and Map Amendments – 11 DCMR)

(To Create and Implement the C-2-B-1 Zone District)

March 30, 2015

The Zoning Commission for the District of Columbia (Commission), pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, as amended, D.C. Official Code § 6-641.01 (2012 Repl.)), hereby gives notice of adoption of the following amendments to the Zoning Map and to the text of the Zoning Regulations of the District of Columbia at Chapters 1 (Zoning Regulations), 7 (Commercial Districts), 20 (Nonconforming Uses And Structures), 21 (Off-Street Parking Requirements), 22 (Off-Street Loading Facility Requirements), 24 (Planned Unit Development Procedures), 25 (Miscellaneous Zoning Requirements), 26 (Inclusionary Zoning), and 34 (Green Area Ratio) of Title 11 (Zoning) of the District of Columbia Municipal Regulations (DCMR). The text and map amendments implement a new C-2-B-1 Zone District. A Notice of Proposed Rulemaking was published in the *D.C. Register* on February 27, 2015 at 62 DCR 2582. The amendment shall become effective upon the publication of this notice in the *D.C. Register*.

Description of Amendment

The amendments create and implement the C-2-B-1 Zone District, which is identical to the existing C-2-B Zone District but with an allowable matter-of-right height of seventy-five (75) feet instead of sixty-five (65). The C-2-B-1 Zone District is being initially mapped generally within the triangle formed by New York Avenue, Montana Avenue, and Bladensburg Road, on the specific lots and parcels noted below.

Procedures Leading to Adoption of Amendment

On September 19, 2014, the Office of Planning (OP) submitted a memorandum that served as a petition requesting amendments to the regulations and map. OP proposed to amend the regulations to create a new C-2-B-1 Zone District, which would be identical to the C-2-B Zone District but would allow a height of seventy-five (75) feet as a matter of right instead of the sixty-five (65) feet allowed in the C-2-B Zone District. OP's reason for proposing creation of a new zone district was to accommodate a recent change in the Building Code (Title 12 DCMR). The Building Code had previously limited buildings to a one (1)-story concrete base with four (4) stories of wood frame construction on top — colloquially referred to as "1+4". As a result of revisions to the Building Code in 2009, the Code now permits "1+5" — a one (1)-story concrete base with five (5) stories of wood frame construction above. Thus, OP requested a new zone to account for this development.

OP also proposed to map the new C-2-B-1 Zone District on a parcel of land roughly bound by the triangle of New York Avenue, Montana Avenue, and Bladensburg Road. The purpose of mapping the new zone in this location was to facilitate development on this site, which OP stated has long been an underutilized gateway into the city and has been the subject of past failed development proposals.

On September 29, 2014, the Commission voted in favor of setting down the proposed amendments as a rulemaking case. A Notice of Public Hearing was published in the November 21, 2014, edition of the *D.C. Register* at 61 DCR 12026.

In response to notice given pursuant to § 13 of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10), the Commission received a written report from Advisory Neighborhood Commission (ANC) 5C dated January 28, 2015. ANC 5C indicated that, at a properly noticed meeting with a quorum present, it voted 7-0 in favor of the text and map amendments. The ANC noted that it was pleased that the amendment would encourage development of the area to be remapped, which it stated had been laying fallow for far too long. The ANC also noted that the property had not been posted with notice until twenty-one (21) days before the Commission's scheduled hearing for the amendments. The ANC requested that the hearing proceed forward as scheduled despite the requirement that notice be posted at least forty (40) days prior, explaining that the ANC had been provided two (2) presentations concerning the proposed amendments.

In a memorandum dated January 30, 2015, OP also requested that the Commission waive the forty (40) day posting requirement, stating that twenty-one (21) days was sufficient notice in this case for interested citizens to view the posted notice. OP further stated that the neighborhood was well-informed of the proposal as the contract purchaser for the property being remapped had presented a vision for the site to the ANC and the community at public meetings.

On February 2, 2015, OP filed its final report. In the report, OP explains that the Comprehensive Plan's policies suggest a moderate-to-medium density development that is not easily accommodated by the existing Zoning Regulations. Specifically, OP states that some existing mixed-use zones allow sixty-five (65) feet as a matter-of-right and others allow ninety (90) feet as a matter-of-right. The C-3-B Zone District is the only zone that allows matter-of-right height within that range — at seventy (70) feet — but that district also permits a medium-high density of 5.0 floor area ratio (FAR). The proposed C-2-B-1 Zone District would, as OP explains, fill this "gap" in the Regulations by maintaining the relatively lower density of the C-2-B district while allowing ten (10) more feet of height.

A properly noticed public hearing was held on February 12, 2015. At the meeting, the Commission heard testimony from OP and from a representative of ANC 5C, who reiterated support for the proposed amendments. At the conclusion of the meeting, the Commission voted

to take proposed action to refer the proposed amendment to the National Capital Planning Commission (NCPC) and to authorize the publication of a Notice of Proposed Rulemaking

On February 27, 2015, the *D C. Register* published a Notice of Proposed Rulemaking for the amendments at 62 DCR 2582. No comments were received in response to the Notice of Proposed Rulemaking.

In a letter dated March 10, 2015, the Executive Director of NCPC informed the Commission that, through a delegated action dated February 27, 2015, he found that the proposed text amendments were not inconsistent with the Federal Elements of the Comprehensive Plan for the National Capital.

At a properly noticed public meeting on March 30, 2015, the Commission voted to take final action on the proposed text and map amendments.

The Zoning Map is proposed to be amended as follows:

Rezone from C-M-1 to C-2-B-1 the following lots and parcels.

- Square 4268, Lots 2, 5, 6, 8, 10, 11, 12, 14, 800, 801, 804, 811, and 815; and
- Parcels 153/26, 153/83, 153/105, 153/113, 153/123, 153/150, 153/152, and 153/153.

The following amendments to Title 11 DCMR, ZONING, are proposed, all of which add references to the C-2-B-1 Zone District to existing provisions:

Chapter 1, THE ZONING REGULATIONS, § 105, ZONE DISTRICTS, § 105.1(d)(2) is amended to add the phrase “C-2-B-1 medium-high density; and” so that the entire subsection reads as follows:

105 ZONE DISTRICTS

105 1 For the purpose of this title, the District of Columbia shall be divided into the following zone districts:

(a) RESIDENCE DISTRICTS, as follows.

(1) R-1 one-family detached dwellings, subdivided as follows:

(A) R-1-A low density; and

(B) R-1-B high density,

- (2) R-2 one-family, semi-detached dwellings;
- (3) R-3 row dwellings;
- (4) R-4 row dwellings, conversions, and apartments; and
- (5) R-5 general residence, subdivided as follows:
 - (A) R-5-A low density;
 - (B) R-5-B moderate density;
 - (C) R-5-C medium density;
 - (D) R-5-D medium-high density; and
 - (E) R-5-E high density;
- (b) SPECIAL PURPOSE DISTRICTS, as follows
 - (1) SP limited offices and apartments, subdivided as follows:
 - (A) SP-1 medium density, and
 - (B) SP-2 medium-high density;
- (c) MIXED USE (COMMERCIAL-RESIDENTIAL) DISTRICTS, as follows:
 - (1) CR mixed uses (retail, residential, office, and light industry),
- (d) COMMERCIAL DISTRICTS, as follows
 - (1) C-1 neighborhood shopping,
 - (2) C-2 community business center, subdivided as follows:
 - (A) C-2-A medium density;
 - (B) C-2-B medium-high density;

- (C) C-2-B-1 medium-high density; and
 - (D) C-2-C high density;
- (3) C-3 major business and employment center, subdivided as follows:
 - (A) C-3-A medium bulk;
 - (B) C-3-B medium bulk, and
 - (C) C-3-C high bulk;
- (4) C-4 central business district, and
- (5) C-5 (PAD) Pennsylvania Avenue development;
- (e) INDUSTRIAL DISTRICTS, as follows:
 - (1) C-M commercial-light manufacturing, subdivided as follows:
 - (A) C-M-1 low bulk;
 - (B) C-M-2 medium bulk, and
 - (C) C-M-3 high bulk, and
 - (2) M general industry;
- (f) LANGDON OVERLY (LO) DISTRICT,
- (g) WATERFRONT DISTRICTS, as follows:
 - (1) W mixed uses, subdivided as follows:
 - (A) W-0 waterfront open space and recreation, low density;
 - (B) W-1 moderate density,
 - (C) W-2 medium density; and
 - (D) W-3 high density,

- (h) **MIXED USE DIPLOMATIC OVERLAY DISTRICT**, as follows.
 - (1) **D low and medium density;**
- (i) **HOTEL-RESIDENTIAL INCENTIVE OVERLAY DISTRICT**, as follows.
 - (1) **HR high density;**
- (j) **CAPITOL INTEREST OVERLAY DISTRICT**, as follows:
 - (1) **CAP low to medium density;**
- (k) **NEIGHBORHOOD COMMERCIAL OVERLAY DISTRICTS**, as follows.
 - (1) **Cleveland Park Neighborhood Commercial (CP) Overlay District,**
 - (2) **Woodley Park Neighborhood Commercial (WP) Overlay District;**
 - (3) **Macomb-Wisconsin Neighborhood Commercial (MW) Overlay District;**
 - (4) **Eighth Street Southeast Neighborhood Commercial (ES) Overlay District;**
 - (5) **Takoma Neighborhood Commercial (TK) Overlay District,**
 - (6) **H Street Northeast Neighborhood Commercial (HS) Overlay District; and**
 - (7) **Georgia Avenue Commercial ((GA) Overlay District,**
- (l) **REED - COOKE (RC) OVERLAY DISTRICT**,
- (m) **MISCELLANEOUS OVERLAY DISTRICTS**, as follows.
 - (1) **Dupont Circle (DC) Overlay District;**
 - (2) **Tree and Slope Protection (TSP) Overlay District;**
 - (3) **Foggy Bottom (FB) Overlay District,**

- (4) Naval Observatory Precinct (NO) Overlay District;
- (5) Wesley Heights (WH) Overlay District;
- (6) Sixteenth Street Heights (SSH) Overlay District;
- (7) Fort Totten (FT) Overlay District,
- (8) Chain Bridge Road/University Terrace (CB/UT) Overlay District;
and
- (9) Capitol Hill Commercial (CHC) Overlay District;
- (n) DOWNTOWN DEVELOPMENT (DD) OVERLAY DISTRICT;
- (o) UPTOWN ARTS - MIXED USE (ARTS) OVERLAY DISTRICT;
- (p) CAPITOL GATEWAY (CG) OVERLAY DISTRICT,
- (q) SOUTHEAST FEDERAL CENTER (SEFC) OVERLAY DISTRICT;
- (r) HILL EAST (HE) DISTRICT, and
- (s) UNION STATION NORTH (USN) DISTRICT

Chapter 7, COMMERCIAL DISTRICTS, is amended as follows:

Section 720, COMMUNITY BUSINESS CENTER DISTRICTS (C-2), is amended by adding references to the C-2-B-1 Zone District in § 720.1 and §§ 720.6 through 720.8 so that the entire section reads as follows:

720 COMMUNITY BUSINESS CENTER DISTRICTS (C-2)

720.1 The Community Business Center (C-2) District is divided into C-2-A, C-2-B, C-2-B-1, and C-2-C Districts.

720.2 The C-2-A District is designed to provide facilities for shopping and business needs, housing, and mixed uses for large segments of the District of Columbia outside of the central core.

- 720.3 The C-2-A Districts shall be located in low and medium density residential areas with access to main highways or rapid transit stops, and shall include office employment centers, shopping centers, and medium-bulk mixed use centers.
- 720.4 The C-2-A District shall permit development to medium proportions.
- 720 5 The C-2-A District shall accommodate a major portion of existing commercial strip developments
- 720.6 The C-2-B and C-2-B-1 Districts are designated to serve commercial and residential functions similar to the C-2-A District, but with high-density residential and mixed uses.
- 720.7 The C-2-B and C-2-B-1 Districts shall be compact and located on arterial streets, in uptown centers, and at rapid transit stops.
- 720.8 In the C-2-B and C-2-B-1 Districts, building use may be entirely residential or a mixture of commercial and residential uses.
- 720.9 The C-2-C District is designed to serve commercial and residential functions similar to the C-2-A District, but with higher density residential and mixed uses
- 720.10 The C-2-C District is also designated for those areas previously zoned C-2-B, where the Zoning Commission had permitted a maximum floor area ratio of six (6.0).
- 720.11 The C-2-C Districts shall be compact and located in or near the Central Employment Area.
- 720.12 In the C-2-C District, buildings may be entirely residential, or may be a mixture of commercial and residential uses.
- 720 13 Except as provided in Chapters 20 through 25 of this title, in a C-2 District, no building or premises shall be used and no building shall be erected or altered that is arranged, intended, or designed to be used except for one (1) or more of the uses listed in §§ 721, 722, and 726 through 734

Section 721, USES AS A MATTER OF RIGHT (C-2), § 721.3(j), is amended to add a reference to the C-2-B-1 Zone District so that the entire subsection reads as follows:

- 721.3 In addition to the uses permitted in C-1 Districts by § 701.4, the following retail establishments shall be permitted in a C-2 District as a matter of right:

- (a) Antique store or shop;
- (b) Auction house;
- (c) Automobile accessories sales, including installations;
- (d) Automobile and truck sales,
- (e) Boat or other marine sales,
- (f) Department store;
- (g) Display stand or store for mail order sales,
- (h) Drive-in type restaurant;
- (i) Dry goods store,
- (j) Fast food establishment or food delivery service, only in a C-2-B, C-2-B-1, or C-2-C District; provided:
 - (1) No part of the lot on which the use is located shall be within twenty-five feet (25 ft.) of a Residence District, unless separated therefrom by a street or alley;
 - (2) If any lot line of the lot abuts an alley containing a zone district boundary line for a Residence District, a continuous brick wall at least six feet (6 ft) high and twelve inches (12 in) thick shall be constructed and maintained on the lot along the length of that lot line;
 - (3) Any refuse dumpsters shall be housed in a three (3) sided brick enclosure equal in height to the dumpster or six feet (6 ft.) high, whichever is greater. The entrance to the enclosure shall include an opaque gate. The entrance shall not face a Residence District; and
 - (4) The use shall not include a drive-through Subparagraphs (1) and (2) shall not apply to a fast food establishment located in Square 5912;

- (k) Firearms retail sales establishments, provided that no portion of the establishment, other than a single establishment operated at the Metropolitan Police Department at 300 Indiana Avenue, N W , shall be located within three hundred feet (300 ft.) of.
 - (1) A Residence (R) or Special Purpose (SP) District; or
 - (2) A church or other place of worship, public or private school, public library, or playground;
- (l) Furniture store;
- (m) Home furnishings sales,
- (n) Ice sales;
- (o) Leather goods store,
- (p) Musical instruments and accessories sales,
- (q) Office supplies and equipment sales,
- (r) Optical goods store,
- (s) Precision instrument sales, and
- (t) Prepared food shop, except that in a C-2-A District, a prepared food shop with greater than eighteen (18) seats for patrons shall only be permitted by special exception pursuant to 11 DCMR § 712.

Section 770, HEIGHT OF BUILDINGS OR STRUCTURES (C), § 770.1 is amended to read as follows:

770 1 Except as provided in this section and in Chapters 17 and 20 through 25 of this title, the height of a building or structure in a Commercial District shall not exceed that set forth in the following table.

ZONE DISTRICT	MAXIMUM HEIGHT (Feet)	MAXIMUM HEIGHT (Stories)
C-1	40	3
C-2-A	50	No Limit

C-2-B,C-3-A	65	No Limit
C-3-B	70	6
C-2-B-1	75	No Limit
C-2-C,C-3-C	90	No Limit
C-4	110	No Limit
C-5(PAD)	130	No Limit

Section 771, FLOOR AREA RATIO (C), § 771.2 is amended to read as follows:

771.2 For a building or structure for which an application for a building permit was filed on or after November 17, 1978, the maximum permitted floor area ratio shall be as set forth in the following table.

ZONE DISTRICT	APARTMENT HOUSE OR OTHER RESIDENTIAL USE OR PUBLIC SCHOOL	OTHER PERMITTED USE	MAXIMUM PERMITTED (FAR)
C-1	1 0	1 0	1 0
C-2-A	2 5	1 5	2.5
C-2-B, C-2-B-1	3 5	1 5	3 5
C-2-C	6 0	2 0	6 0
C-3-A	4 0	2 5	4 0
C-3-B	5 0	4 0	5 0
C-3-C	6 5	6 5	6 5
C-4	8 5	8 5	8.5
C-5 (PAD)	10 0	10 0	10 0

Section 772, PERCENTAGE OF LOT OCCUPANCY (C), § 772.1 is amended to read as follows:

772 1 In a Commercial District, no building or portion of a building devoted to a residential use, including accessory buildings but excluding hotels, shall occupy the lot upon which it is located in excess of the percentage of lot occupancy in the following table.

ZONE DISTRICT	MAXIMUM PERCENTAGE OF LOT OCCUPANCY
C-1	60%
C-2-A	60%
C-3-A	75%
C-2-B, C-2-B-1, C-2-C	80%
C-3-B, C-3-C, C-4, C-5 (PAD)	100%

Section 774, REAR YARD (C), § 774.1 is amended to read as follows:

774.1 Except as provided in this section, a rear yard shall be provided for each structure located in a Commercial District, the minimum depth of which shall be as prescribed in the following table.

ZONE DISTRICT AND STRUCTURE	MINIMUM DEPTH OF REAR YARD
C-1 All structures	20 feet
C-2-A, C-2-B, <u>C-2-B-1</u> , C-2-C All structures	15 feet
C-3-A, C-3-B, C-3-C, C-4, C-5 (PAD) All structures	2-1/2 inches per foot of vertical distance from the mean finished grade at the middle of the rear of the structure to the highest point of the main roof or parapet wall, but not less than 12 feet

Chapter 20, NONCONFORMING USES AND STRUCTURES, § 2003, CHANGING USES WITHIN STRUCTURES, § 2003.6 is amended to read as follows:

2003 6 For the purpose of this section, the districts established by this title are listed in the following order of decreased use restriction.

- (a) W-0, R-1-A, R-1-B, R-2, R-3, R-5-A, R-4, R-5-B, R-5-C, R-5-D, and R-5-E,
- (b) SP-1 and SP-2;
- (c) C-1, C-2-A, C-2-B, C-2-B-1, C-2-C, C-3-A, C-3-B, C-3-C, C-4, and (PAD),

- (d) W-1, W-2, and W-3;
- (e) CR, and
- (f) C-M-1, C-M-2, C-M-3, and M.

CHAPTER 21, OFF-STREET PARKING REQUIREMENTS, § 2101, SCHEDULE OF REQUIREMENTS FOR PARKING SPACES, § 2101.1 is amended as follows:

The portion of the schedule applicable to general office uses is amended to read as follows:

<u>Office - General, including television and radio broadcast studio:</u>	
C-1, C-2-A, C-3-A	In excess of 2,000 sq ft , 1 for each additional 600 sq ft of gross floor area and cellar floor area
W, C-2-B, C-2-B-1, C-2-C, C-3-B, C-3-C, SP, CR	In excess of 2,000 sq ft , 1 for each additional 1,800 sq ft. of gross floor area
C-4	
For a building or structure built on a lot having an area of 10,000 sq ft or less	No requirement
For a building or structure built on a lot having an area of more than 10,000 sq ft	In excess of 2,000 sq ft , 1 for each additional 1,800 sq ft of gross floor area
C-5 (PAD)	No requirement
C-M, M	In excess of 2,000 sq ft , 1 for each additional 800 sq ft of gross floor area and cellar floor area devoted to that use

The portion of the schedule applicable to retail or service establishments except gasoline service station and repair garage uses is amended to read as follows:

<u>Retail or service establishment except</u>	
------------------------------------------------------	--

gasoline service station and repair garage:

C-1, C-2-A, C-3-A, C-M-1, M	In excess of 3,000 sq ft , 1 for each additional 300 sq ft of gross floor area and cellar floor area
W, CR, C-2-B, C-2-B-1, C-2-C, C-3-B, C-3-C, C-M-2, C-M-3	In excess of 3,000 sq ft , 1 for each additional 750 sq ft of gross floor area
C-4	In excess of 30,000 sq ft., 1 for each additional 3,000 sq ft of gross floor area
C-5 (PAD)	No requirement

CHAPTER 22, OFF-STREET LOADING FACILITY REQUIREMENTS, § 2201, SCHEDULE OF REQUIREMENTS FOR LOADING BERTHS, LOADING PLATFORMS, AND SERVICE/DELIVERY LOADING SPACES, § 2201.1 is amended as follows:

The portion of the schedule applicable to office buildings in the W, CR, C-2-B, C-2-C, and C-M-1 Zone Districts is amended to read as follows:

Office Building in W, CR, C-2-B, C-2-B-1, C-2-C, and C-M-1 Districts			
With 20,000 to 50,000 sq ft. of gross floor area	1 @ 30 feet deep	1 @ 100 sq ft	1 @ 20 feet deep
With more than 50,000 to 200,000 sq ft. of gross floor area	2 @ 30 feet deep	2 @ 100 sq ft	1 @ 20 feet deep
With more than 200,000 sq ft of gross floor area	3 @ 30 feet deep	3 @ 100 sq ft	1 @ 20 feet deep

The portion of the schedule applicable to grocery stores or drug stores in W, CR, C-2-B, C-2-C, C-M-1, and C-M-2 Zone Districts is amended to read as follows:

Grocery Store or Drug Store in W, CR, C-2-B, C-2-B-1, C-2-C, C-M-1, and C-M-2 Districts			
With 5,000 to 20,000 sq ft. of gross floor area	1 @ 30 feet deep	1 @ 100 sq ft.	None
With more than 20,000 to 100,000 sq ft of gross floor area	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 sq ft 1 @ 200 sq ft	1 @ 20 feet deep
With more than 100,000 sq ft of gross floor area	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 sq ft. 2 @ 200 sq ft.	1 @ 20 feet deep

Chapter 24, PLANNED UNIT DEVELOPMENT PROCEDURES, § 2405, PUD STANDARDS, §§ 2405.1 and 2405.2 are amended to read as follows:

2405.1 No building or structure shall exceed the maximum height permitted in the least restrictive zone district within the project area as indicated in the following table; provided, that the Zoning Commission may authorize minor deviations for good cause pursuant to § 2405 3

ZONE DISTRICT	MAXIMUM HEIGHT (feet)
R-1-A, R-1-B, R-2, R-3, C-1, W-0	40
R-4, R-5-A, R-5-B, W-1, W-2, C-M-1	60
C-2-A	65
R-5-C, SP-1	75
R-5-D, R-5-E, SP-2, C-2-B, C-2-B-1	90
C-2-C, C-3-A, C-3-B, W-3, C-M-2, C-M-3, M	
CR	110
C-3-C, C4, C-5 (PAD)	130
C-5 (PAD) (Where permitted by the Building Height Act of 1910, D C Official Code § 6-601 05(b) (formerly codified at D C Code § 5-405(b) (1994 Repl)), along the north side of Pennsylvania Avenue)	160

2405 2 The floor area ratio of all buildings shall not exceed the aggregate of the floor area ratios as permitted in the several zone districts included within the project area; provided, that the Zoning Commission may authorize minor deviations for good cause pursuant to § 2405 3

FLOOR AREA RATIO (FAR)			
ZONE DISTRICT	RESIDENCE	COMMERCIAL, INCLUDING HOTELS AND MOTELS	TOTAL
R-1-A, R-1-B, R-2	0 4		0 4
R-3	0 6		0 6
R-4, R-5-A	1 0		1 0
R-5-B	3 0		3 0
R-5-C	4 0		4 0
R-5-D	4 5		4 5
R-5-E	6 0		6 0
SP-1	4 5	3 5	4 5
SP-2	6 5	4 5	6 5
CR	8 0	4 0	8 0
C-1	1 0	1 0	1 0
C-2-A	3 0	2 0	3 0
C-2-B, C-2-B-1	6 0	2 0	6 0
C-2-C	6 0	2 5	6 0
C-3-A	4 5	3 0	4 5
C-3-B	5 5	4 5	5 5
C-3-C	8 0	8 0	8 0
C-4	10 5	10 5	10 5
C-4 (facing a street at least 110 ft wide)	11 0	11 0	11 0

C-5 (PAD)	12 0	12 0	12 0
W-1	3 0	1 0	3 0
W-2	4 0	2 0	4 0
W-3	6 0	5 0	6 0
C-M-1		3 0	3 0
C-M-2		4 0	4 0
C-M-3, M		6 0	6 0
W-0		0 5	0 5

Chapter 25, MISCELLANEOUS ZONING REQUIREMENTS, § 2514, ZONE DISTRICT BOUNDARY LINE CROSSING A LOT, § 2514.3 is amended to read as follows:

2514 3 For the purpose of interpreting this section, the zone districts established in this title are listed in the following groups of decreasing use restrictions

- (a) W-0, R-1-A, R-1-B, R-2, and R-3 Districts,
- (b) R-4, R-5-A, R-5-B, R-5-C, R-5-D, R-5-E, and SP Districts,
- (c) C-1, C-2-A, C-2-B, C-2-B-1, C-2-C, C-3-A, C-3-B, C-3-C, C-4, and C-5 (PAD) Districts,
- (d) W-1, W-2, W-3, and CR Districts, and
- (e) C-M-1, C-M-2, C-M-3, and M Districts

Chapter 26, INCLUSIONARY ZONING, § 2602, SET-ASIDE REQUIREMENTS, § 2602.2 is amended to read as follows:

2603 2 An inclusionary development of steel and concrete frame construction located in the zone districts stated in § 2603 1 or any development located in a C-2-B, C-2-B-1, C-2-C, C-3, CR, R-5-C, R-5-D, SP, USN, W-2, or W-3 Zone District shall devote the greater of eight percent (8%) of the gross floor area being devoted to residential use or fifty percent (50%) of the bonus density utilized for inclusionary units

Chapter 34, GREEN AREA RATIO, § 3401, APPLICABILITY OF GREEN AREA RATIO STANDARDS, § 3401.2 is amended to read as follows:

3401 2 Except as provided in § 3401.3 and pursuant to the conditions and requirements of this chapter, properties in zones listed in the following table shall provide a GAR as specified in the following table.

ZONE DISTRICT	GREEN AREA RATIO
R-5-A and R-5-B	0 40
R-5-C, R-5-D and R-5-E C-1, C-2-A, C-2-B, C-2-B-1, and C-2-C W-1, W-2, W-3 SP-1, SP-2	0 30
C-3-A, C-3-B	0 25
C-3-C, C-4, C-5, CR and any property within the DDD overlay	0 20
CM-1 CM-2, CM-3, and M, <ul style="list-style-type: none"> all structures except one story warehouses one story warehouses 	<ul style="list-style-type: none"> 0 30 0.10

On February 12, 2015, upon the motion of Vice Chairperson Cohen, as seconded by Chairman Hood, the Zoning Commission **APPROVED** the petition at the conclusion of its public hearing by a vote of **5-0-0** (Anthony J Hood, Marcie I Cohen, Robert E. Miller, Peter G May, and Michael G Turnbull to approve)

On March 30, 2015, upon the motion of Vice Chairperson Cohen, as seconded by Commissioner Miller, the Zoning Commission **ADOPTED** this Order at its public meeting by a vote of **5-0-0** (Anthony J. Hood, Marcie I. Cohen, Robert E. Miller, Peter G. May, and Michael G. Turnbull to adopt).

In accordance with the provisions of 11 DCMR § 3028 8, this Order shall become final and effective upon publication in the *D.C Register*; that is, on April 24, 2015

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING
AND
Z.C. ORDER NO. 14-16
Z.C. Case No. 14-16
(Text Amendment and Map Amendments to 11 DCMR)
(Text & Map Amendments to Create and Implement the C-2-B-1 Zone District)
March 30, 2015**

The full text of this Zoning Commission Order is published in the “Final Rulemaking” section of this edition of the *D.C. Register*