



The remaining properties that are the subject of this petition will be rezoned to the new SEFC-1B zone. The SEFC-1B zone is functionally the same as the current SEFC-1 Zone District, but eliminates the use of CLDs. The SEFC-1B zone will permit a density of 6.0 FAR as a matter of right, with a maximum of 3.0 FAR for nonresidential uses. An additional 1.0 FAR (for residential use only) is permitted with design review. The SEFC-1B zone will permit a height of 110 feet as a matter of right; a height of 130 feet will be permitted on Parcel H with design review, if permitted by the Height Act.

The following amendments to Title 11 DCMR are proposed (additions are shown in **bold underlined** text and deletions are shown in **bold strikethrough** text):

*1.a Amend Subtitle K, § 200, GENERAL PROVISIONS, by amending § 200.3 as follows:*

**200 GENERAL PROVISIONS**

...<sup>1</sup>

200.3 The SEFC-1 ~~zone~~ provides zones provide for high-density mixed-use development with ground floor retail, ~~and with bonus density and height for development proximate to the Navy Yard Metrorail Station and the proposed 1½ Street, and with~~ review of the relationship of new buildings to the M Street, S.E. corridor and the adjacent Washington Navy Yard. The SEFC-1 zones consist of the SEFC-1-A zone, which permits high-density commercial or residential use with ground floor retail on Parcels A, F, and G near the Navy Yard Metrorail Station entrance, and the SEFC-1B zone, which promotes a mix of high-density residential and medium-density commercial development with ground floor retail on Parcels D, E, K, H, and I.

...

*1.b Amend Subtitle K, § 201, DEVELOPMENT STANDARDS (SEFC-1), by amending § 201.3 as follows:*

**201 DEVELOPMENT STANDARDS (SEFC-1)**

201.1 The development standards in Subtitle K §§ 202 through 210 control the bulk of structures in the SEFC-1 ~~zone~~ zones.

...

*1.b Amend Subtitle K, § 202, DEVELOPMENT STANDARDS (SEFC-1), by amending § 202.1, delete § 202.2 and replace it with a new § 202.2, as follows:*

**202 DENSITY – FLOOR AREA RATIO (FAR)(SEFC-1)**

202.1 The maximum permitted floor area ratio (FAR) for ~~building~~ buildings in the SEFC- ~~1A~~ zone (i.e., Parcels A, F, and G) shall be 6.0 ~~with a maximum of 3.0 FAR for non-~~

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<sup>1</sup> The uses of this and other ellipses indicate that other provisions exist in the subsection being amended and that the omission of the provisions does not signify an intent to repeal.

~~residential uses; except that a building within Parcels A, F, G, H, and I shall be permitted a maximum density of 7.0 FAR, provided that:~~ **shall be permitted, if reviewed and approved by the Zoning Commission pursuant to the standards and procedures of Subtitle K §§ 237.4 and 241. To the extent that the additional 1.0 FAR is devoted to residential uses, a minimum of eight percent (8%) of the additional density gained pursuant to this section shall be devoted to three (3) bedroom units, provided that such units may be located anywhere within the residential building. The reduction or elimination of this requirement may be permitted by the Commission upon a showing by the applicant that exceptional circumstances affecting the property make compliance with this requirement difficult or impossible**

202.1

**The maximum permitted FAR for buildings in the SEFC-1-B zone shall be 6.0 with a maximum of 3.0 FAR for non-residential uses; except a maximum density of 7.0 FAR shall be permitted on Parcels H or I only, if reviewed and approved by the Zoning Commission, pursuant to the standards and procedures of Subtitle K §§ 237.4 and 241, provided that:**

- (a) The additional 1.0 FAR is devoted solely to residential uses, which for the purposes of this subsection does not include a hotel; and
- (b) A minimum of ~~ten~~**eight** percent (~~40-8~~%) of the additional density gained pursuant to this section shall be devoted to three (3) bedroom units, provided that such units may be located anywhere within the residential building. The reduction or elimination of this requirement may be permitted by the Commission upon a showing by the applicant that exceptional circumstances affecting the property make compliance with this requirement difficult or impossible.

~~Combined lot development of two (2) or more lots within the SEFC-1 zone, whether contiguous or non-contiguous, is permitted for the purpose of allocating density for residential and non-residential uses, regardless of any other limitation on floor area by uses as established in this chapter, in accordance with Subtitle K § 240, provided that:~~

- (a) ~~The aggregate residential and non-residential floor area shall not exceed the matter of right maximum height or density of the SEFC-1 zone;~~
- (b) ~~A site that is permitted a height of one hundred thirty feet (130 ft.) is permitted a maximum non-residential density of 6.5 FAR through combined lot development; and~~
- (c) ~~Ground floor area required for ground floor street oriented preferred uses required in accordance with Subtitle K § 237.5 may not be transferred to any other lot through combined lot development.~~

...

*1.c Amend Subtitle K, § 203, HEIGHT, by amending §§ 203.1 and 203.2, as follows:*

**203 HEIGHT (SEFC-1)**

203.1 The maximum permitted building height, not including the penthouse, in the SEFC--1 ~~zone~~ zones shall be one hundred and ten feet (110 ft.), except as set forth below ~~that~~:

- (a) ~~A site that has frontage on any portion of New Jersey Avenue, S.E., that is south of and within three hundred twenty two feet (322 ft.) of M Street, S.E.,~~ **Parcel A** is permitted a maximum height of one hundred thirty feet (130 ft.); and
- (b) ~~For a site within Parcels A, F, G, or~~ **and H** utilizing the bonus density permitted pursuant to ~~§1803.7 (b)~~, the maximum permitted building height shall be ~~that permitted by the Act to Regulate the Height Act.~~ **one hundred thirty feet (130 ft.), if reviewed and approved by the Zoning Commission pursuant to the standards and procedures of Subtitle K §§ 237.4 and 241.**

203.2 Sites fronting on M Street, S.E., east of 4th Street, S.E., are restricted to a height of ninety feet (90 ft.). A building height of one hundred ten feet (110 ft.) maximum is permitted if reviewed and approved by the Zoning Commission pursuant to the procedures of Subtitle K § ~~241~~ **241**. For the purposes of this review, the Zoning Commission shall consider the relationship of the new building to the Navy Yard to the east and may require graduated height and/or design features because of the building's proximity to the Navy Yard.

...

*1.d Amend Subtitle K, § 237, USE PERMISSIONS, by amending §§ 237.4(a) and 237.4(a)(12) as follows:*

**237 USE PERMISSIONS**

...

237.4 Within the SEFC-1 zone zones, the following buildings, structures, and uses are permitted only if reviewed and approved by the Zoning Commission, in accordance with the standards specified in Subtitle K § 241 and procedures specified in Subtitle K § 242:

- (a) All buildings and structures that have frontage along M Street, S.E., **or utilizes additional density or height pursuant to Subtitle K §§ 202 or 203**; subject also to the applicant proving that the architectural design, site plan, landscaping, and sidewalk treatment of the proposed building:
  - (1) Are of superior quality;

- (2) **For buildings on Parcel A**, accommodate the design of the public entrance to the Navy Yard Metrorail Station on Parcel A. The applicant shall demonstrate proactive engagement with the

Washington Metrorail Area Transit Authority (WMATA) in the planning and design of Parcel A as a part of the above design review as set for the below:

- (A) If the applicant moves forward with the construction of the third entrance before the applicant is ready to develop Parcel A, the applicant shall demonstrate that it has coordinated with WMATA to integrate the entrance into the design of Parcel A; and
- (B) If WMATA moves forward with the construction of the third entrance before the applicant is ready to develop Parcel A, the applicant shall demonstrate that it has coordinated with WMATA to integrate the entrance into the design of Parcel A;
- (3) Ensure the provision of 1½ Street, S.E. and N Street, S.E. as open and uncovered multimodal circulation routes; and
- (4) Provide three (3) bedroom dwelling units as required pursuant to Subtitle K § 202.1;

...

*I.e Amend Subtitle K, § 240, COMBINED LOT DEVELOPMENT PROCEDURES (SEFC-1 AND SEFC-4), by deleting the section as follows:*

240 **[DELETED]**

~~240 COMBINED LOT DEVELOPMENT PROCEDURES (SEFC-1 AND SEFC-4)~~

~~240.1 Combined lot development is permitted within the SEFC 1 zone in accordance with Subtitle K § 202.3, and in the SEFC 4 zone in accordance with Subtitle K §§ 230.6 and 230.7.~~

~~240.2 No allocation of gross floor area shall be effective unless an instrument, legally sufficient to effect such a transfer, is filed with the Zoning Administrator in accordance with this section.~~

~~240.3 The instrument shall bind the present and future owners of the respective SEFC 1 lots so as to permanently devote residential and non residential gross floor area on~~

~~site equal to that square footage transferred or received, and shall specify the allocation of residential and non-residential uses among the lots.~~

~~240.4 The instrument shall bind the present and future owners of the SEFC 4 lots that are situated within the open space area, as described in Subtitle K § 200.8(b), to permanently forego the development of such square footage as was transferred to a lot in the development area and shall specify the amount of square footage transferred.~~

~~240.5 The Office of the Attorney General shall certify the instrument for legal sufficiency. The instrument shall also contain a certification by the Office of Planning attesting to:~~

~~(a) The lots' eligibility to send and receive allocated residential and nonresidential uses; and~~

~~(b) The accuracy of the computations with respect to the amount of residential and non-residential uses or density reallocated or transferred.~~

~~240.6 The District of Columbia need not be made a party to the instrument if the instrument provides that it shall neither be modified nor terminated without the express permission of the Zoning Commission of the District of Columbia.~~

~~240.7 The instrument shall be recorded for all affected lots in the Office of Recorder of Deeds, so that the notice of restrictions and transfer shall run with the title and deed to each affected lot and so that the land records that pertain to each affected lot accurately reflect the amount and type of density associated with the lots.~~

~~240.8 A certified copy of the recorded instrument shall be filed with the Zoning Administrator before approval of any building permit application that is affected by such allocation of uses or density.~~

This public hearing will be conducted in accordance with the rulemaking case provisions of 11 DCMR Subtitle Z, Chapter 5.

### **How to participate as a witness.**

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

## **Time limits.**

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail ([donna.hanousek@dc.gov](mailto:donna.hanousek@dc.gov)), or by calling (202) 727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- |    |               |                |
|----|---------------|----------------|
| 1. | Organizations | 5 minutes each |
| 2. | Individuals   | 3 minutes each |

The Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <http://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4<sup>th</sup> Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to [zcsubmissions@dc.gov](mailto:zcsubmissions@dc.gov); or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**ANTHONY J. HOOD, ROBERT E. MILLER, PETER A. SHAPIRO, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.**

**Do you need assistance to participate?** If you need special accommodations or need language assistance services (translation or interpretation), please contact Zee Hill at (202) 727-0312 or [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) five days in advance of the meeting. These services will be provided free of charge.

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**Quý vị có cần trợ giúp gì để tham gia không?** Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

**ለመሳተፍ ዕርዳታ ያስፈልግዎታል?** የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም) ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) ይገናኙ። እነኚህ አገልግሎቶች የሚሰጡት በነጻ ነው።