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**Executive Director**

Marcel Acosta

**IN REPLY REFER TO:  
NCPC File No. ZC 18-06**

**September 6, 2018**

**Zoning Commission of the  
District of Columbia  
441 4<sup>th</sup> Street, NW  
2<sup>nd</sup> Floor, Suite 210  
Washington, DC 20001**

**Members of the Zoning Commission:**

Pursuant to delegations of authority adopted by the Commission on August 6, 1999, I found that the text amendment to create the new MU-4A Zone, would not be inconsistent with the Comprehensive Plan for the National Capital, nor would it adversely affect any other identified federal interests. A copy of the Delegated Action of the Executive Director is enclosed.

Sincerely,

**Marcel C. Acosta  
Executive Director**

**Enclosure**

**cc: Eric Shaw, Director, District of Columbia Office of Planning  
Anthony Hood, Chairman, Zoning Commission**



## Delegated Action of the Executive Director

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<b>PROJECT</b> Text Amendment to Create New MU-4A Zone, DC Office of Planning Washington, DC	<b>NCPC FILE NUMBER</b> ZC 18-06
<b>REFERRED BY</b> Zoning Commission of the District of Columbia	<b>NCPC MAP FILE NUMBER</b> 00:00(06.00)44797
	<b>DETERMINATION</b> Approved report to the Zoning Commission of the District of Columbia
	<b>REVIEW AUTHORITY</b> Advisory per 40 U.S.C. § 8724(a) and DC Code § 2- 1006(a)

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The Zoning Commission of the District of Columbia has referred for comment a proposed text amendment to create a new mixed-use zone (MU-4A). The new MU-4A zone could be applied where appropriate through a rezoning or map amendment approved by the Zoning Commission. The new zone was developed in response to a separate Zoning Case (ZC 17-11), in which the Zoning Commission asked the petitioner to work with the community to identify conditions for a new zoning district that would respond to issues related to a proposed development next to a residential neighborhood. The District of Columbia Office of Planning (DC OP) suggested using the existing MU-4 as a starting point for a new zone. Several meetings were held with the neighbors and, as a result of those discussions, a new modified version of the MU-4 zone was proposed. Based on the densities of the proposed new and existing zones, DC OP proposes that the new zone be named MU-4A and the existing zone be renamed MU-4B.

The proposed new MU-4A zone includes greater setbacks and lower density compared to the existing MU-4 zone. At 2.0 FAR, MU-4A would allow for less density than the existing MU-4 zone's 2.5 FAR maximum. MU-4A would also have a greater setback requirement of 20 feet minimum from the property line of a residentially zoned property; and buildings would be required to step back an additional 10-feet for the floors above 40 feet in height or three stories. MU-4A would have the same lot occupancy requirements as MU-4. The maximum permitted building and penthouse height for MU-4A would be the same as those of the existing MU-4 zone.

The new MU-4A zone could be applied where appropriate through a rezoning or map amendment. As such, the implementation of the new zone would be considered for individual sites through a separate process. Staff further finds the text amendment to create the new MU-4A zone would not be inconsistent with the federal elements of the Comprehensive Plan nor any other identified federal interests.

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Pursuant to delegations of authority adopted by the Commission on August 6, 1999 and per 40 U.S.C. § 8724(a) and DC Code § 2-1006(a), I find that the text amendment to create the new MU-4A Zone would not be inconsistent with the Federal Elements of the *Comprehensive Plan for the National Capital*, nor would it adversely affect any other identified federal interests.



Marcel Acosta  
Executive Director



Date