



MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Jonathan Kirschenbaum, AICP
Development Review Specialist

Art Rodgers
Senior Housing Planner

^{JLS}
Jennifer Steingasser, AICP
Deputy Director, Development Review & Historic Preservation

DATE: February 16, 2021

SUBJECT: ZC Case 20-02 – Supplemental Report #3 for a Proposed Text Amendment to Subtitles B, C, F, G, I, K, U, X, and Z – Expanded Inclusionary Zoning¹.

On January 21, 2021, OP filed a second supplemental report (Exhibit 34A) that addressed public testimony and comments received at the November 16, 2020 public hearing and from comments received on the Notice of Proposed Rulemaking (Exhibit 29).

In response to comments received from DCBIA, OP's second supplemental report revised the set-aside requirements proposed in Tables C § 1003.3 and 1003.4 to correspond to the total FAR utilized by construction. However, the sliding scale for percent increase in total FAR utilized and the corresponding set-aside requirements were not revised to reflect this change but were based on measuring the maximum potential increase in FAR from the existing zone to the new zone, both exclusive of 20 percent IZ bonus density.

OP proposes to correct this error by revising Tables C § 1003.3 and 1003.4 to use a sliding scale based on the one that was originally proposed in OP's first supplemental report (Exhibit 18). OP further proposes to start the sliding scale at 0 to 20 percent of the density utilized with a corresponding set-aside requirement of either 8.3 percent or 12.5 percent, depending on construction type employed. This clarifies that buildings located in an IZ Plus zone that do not build more density above what would have been allowed as a matter-of-right under the prior zone would have a set-aside requirement based on Regular IZ. The previous proposal would have applied a higher set-aside requirement to all buildings located in an IZ Plus zone regardless if they used the additional density afforded to them as a result of the map amendment.

The changes proposed in this report are not substantive and do not introduce new material that has not already been considered by the Zoning Commission. The revised tables and set-aside requirements are on the following page.

¹ Also known as "IZ Plus."

TABLE C § 1003.3 SET-ASIDE FOR INCLUSIONARY UNITS

<u>Type of Map Amendment</u>		<u>Set-Aside Requirement</u>
<u>Map Amendment from a PDR zone or unzoned land to an ARTS, CG, D, MU, R, RA or RF zone</u>		<u>20%</u>
<u>Map Amendment from any zone other than a PDR zone to a D zone without a prescribed residential FAR</u>		<u>20%</u>
<u>All Other Map Amendments - Percent Increase in Total FAR Utilized as defined in Subtitle C § 1003.5(b)</u>	<u>Up to and including 20%</u>	<u>12.5%</u>
	<u>More than 20% up to and including 40%</u>	<u>14%</u>
	<u>More than 40% up to and including 60%</u>	<u>16%</u>
	<u>More than 60% up to and including 80%</u>	<u>18%</u>
	<u>More than 80%</u>	<u>20%</u>

TABLE C § 1003.4 SET-ASIDE FOR INCLUSIONARY UNITS

<u>Type of Map Amendment</u>		<u>Set-Aside Requirement</u>
<u>Map Amendment from a PDR zone or unzoned land to an ARTS, CG, D, MU, R, RA or zone</u>		<u>20%</u>
<u>Map Amendment from any zone other than a PDR zone to a D zone without a prescribed residential FAR</u>		<u>20%</u>
<u>All Other Map Amendments - Percent Increase in Total FAR Utilized as defined in Subtitle C § 1003.5(b)</u>	<u>Up to and including 20%</u>	<u>8.3%</u>
	<u>More than 20% up to and including 50%</u>	<u>10%</u>
	<u>More than 50% up to and including 75%</u>	<u>12%</u>
	<u>More than 75% up to and including 100%</u>	<u>14%</u>
	<u>More than 100% up to and including 125%</u>	<u>16%</u>
	<u>More than 125%</u>	<u>18%</u>