

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
NOTICE OF VIRTUAL PUBLIC HEARING**

**TIME AND PLACE:** **Thursday, October 22, 2020, @ 4:00 p.m.**  
**WebEx or Telephone – Instructions will be provided on  
the OZ website by Noon of the Hearing Date<sup>1</sup>**

**FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:**

**Z.C. Case No. 20-13 (Forest City SEFC, LLC - Text Amendment to Subtitle K to Allow Office  
Uses in the SEFC-3 Zone)**

**THIS CASE IS OF INTEREST TO ANC 6D**

On June 11, 2020, Forest City SEFC, LLC (“Petitioners”) filed a petition to the Zoning Commission (the “Commission”) proposing the following amendments to the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations, Zoning Regulations of 2016, to which all references herein refer unless otherwise specified):

Subtitle K, Special Purpose Zones

Chapter 2, Southeast Federal Center Zones – SEFC-1 Through SEFC-4

§ 238.3 – to add a new paragraph (k) to add office uses to permitted uses in the SEFC-3 zone

The proposed text amendment would allow office uses in the SEFC-3 zone in order to implement the revisions adopted to the SEFC Master Plan approved by the National Capital Planning Commission. The revised SEFC Master Plan moved the office uses initially allocated to Parcel H to Parcel Q, the only property in the SEFC-3 zone, with the residential uses initially allocated to Parcel Q moved to Parcel H.

The Office of Planning (OP) filed a July 17, 2020 report that supported the proposed text amendment based on OP’s analysis that the text amendment is not inconsistent with the Comprehensive Plan, as required by Subtitle X § 1300.2.<sup>2</sup> OP noted that the proposed swap of uses between Parcels H and Q would improve the mix of uses across the SEFC area and potential increase the affordable housing provided, because the new housing in Parcel H would likely be rental, and so subject to IZ, whereas the residential use originally planned for Parcel Q was condos which are not be subject to IZ.

At its July 27, 2020, public meeting, the Commission heard testimony from OP in support of the proposed amendment. At the conclusion of the meeting, the Commission voted to grant Goulston’s request to set down the proposed text amendment for a public hearing and authorized flexibility

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<sup>1</sup> Anyone who wishes to participate in this case but cannot do so via WebEx or telephone, may submit written comments to the record. (See p. 3, *How to participate as a witness – written statements*.)

<sup>2</sup> Although the OP report inadvertently cited the proposed text amendment as revising Subtitle K §§ 241 and 242 in the title and recommendation, its analysis correctly addressed the proposed revision to Subtitle K § 238.3.

for OP to work with the Office of the Attorney General to refine the proposed text and add any conforming language as necessary.

The complete record in the case, including the OP Setdown Report and transcript of the public hearing, can be viewed online at the Office of Zoning website, through the Interactive Zoning Information System (IZIS), at <https://app.dcoz.dc.gov/Content/Search/Search.aspx>

## **PROPOSED TEXT AMENDMENT**

The proposed amendments to the text of the Zoning Regulations are as follows (text to be deleted is marked in ~~bold and strikethrough~~ text; new text is shown in **bold and underline** text).

### **Proposed Amendment to Subtitle K, SPECIAL PURPOSE ZONES**

**A new paragraph (k) is proposed to be added to § 238.3 of § 238, USE PERMISSIONS (SEFC-2 AND SEFC-3), of Chapter 2, SOUTHEAST FEDERAL CENTER ZONES – SEFC-1 THROUGH SEFC-4, of Subtitle K, SPECIAL PURPOSE ZONES, to read as follows:**

238.3 Notwithstanding Subtitle K § 238.1, 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 § 142 and procedures specified in Subtitle K § 242:

(a) All buildings and structures that abut the SEFC-4 open space area ...<sup>3</sup>  
...

(i) Education, college/university; ~~and~~

(j) Daytime care; **and**

**(k) Within the SEFC-3 zone only, office uses, including chanceries.**

Proposed amendments to the Zoning Regulations of the District of Columbia are authorized pursuant to the Zoning Act of June 20, 1938 (52 Stat. 797, as amended; D.C. Official Code § 6-641.01, *et seq.* (2018 Repl.)).

This public hearing will be conducted in accordance with the rulemaking case provisions of Subtitle Z, Chapter 5, as well as the text provided in the Notice of Emergency and Proposed Rulemaking adopted by the Commission on May 11, 2020, in Z.C. Case No. 20-11.

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<sup>3</sup> The use of this and other ellipses indicate that other provisions exist in the subsection being amended and that the amendment of the provisions does not signify an intent to repeal.

**How to participate as a witness – oral presentation**

Interested persons or representatives of organizations may be heard at the virtual public hearing. All individuals, organizations, or associations wishing to testify in this case are **strongly encouraged to sign up to testify at least 24 hours prior to the start of the hearing** on OZ’s website at <https://dcoz.dc.gov/> or by calling Donna Hanousek at (202) 727-0789 in order to ensure the success of the new virtual public hearing procedures.

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 Commission must base its decision on the record before them. Therefore, it is **highly recommended that all written comments and/or testimony be submitted to the record at least 24 hours prior to the start of the hearing.** 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 |

**How to participate as a witness – written statements**

Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by e-mail to [zcsubmissions@dc.gov](mailto:zcsubmissions@dc.gov). Please include the case number on your submission. If you are unable to use either of these means of submission, please contact Donna Hanousek at (202) 727-0789 for further assistance.

**“Great weight” to written report of ANC**

Subtitle Z § 505.1 provides that the written report of an affected ANC shall be given great weight if received at any time prior to the date of a Commission meeting to consider final action, including any continuation thereof on the application, and sets forth the information that the report must contain. Pursuant to Subtitle Z § 505.2, an ANC that wishes to participate in the hearing must file a written report at least seven days in advance of the public hearing and provide the name of the person who is authorized by the ANC to represent it at the hearing.

**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.

**¿Necesita ayuda para participar?** Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

**Avez-vous besoin d'assistance pour pouvoir participer ?** Si vous avez besoin d'aménagements spéciaux ou d'une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

**참여하시는데 도움이 필요하세요?** 특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312 로 전화 하시거나 [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

**您需要有人帮助参加活动吗?** 如果您需要特殊便利设施或语言协助服务(翻译或口译)·请在见面之前提前五天与 Zee Hill 联系·电话号码 (202) 727-0312, 电子邮件 [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) 这些是免费提供的服务。

**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።