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The Honorable Phil Mendelson

**Executive Director**  
Marcel Acosta

IN REPLY REFER TO:  
NCPC File No. ZC 21-02

July 1, 2021

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

Members of the Zoning Commission:

Pursuant to delegations of authority adopted by the Commission, I found that the proposed Text Amendment for Inclusionary Zoning located in Washington, DC is not inconsistent with the *Comprehensive Plan for the National Capital* and would not adversely impact any other identified federal interests. A copy of the Delegated Action of the Executive Director is enclosed and available online at [www.ncpc.gov/review/archive/2021/7/](http://www.ncpc.gov/review/archive/2021/7/) as part of the July 2021 meeting materials.

Sincerely,

Marcel Acosta  
Executive Director

Enclosures

cc: Mr. Andrew Trueblood, Director, DC Office of Planning



## Delegated Action of the Executive Director

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**PROJECT**

**Text Amendment for Inclusionary Zoning  
Subtitles C, D, F, G, H & K - Phase 1**  
District-Wide  
Washington, DC

**NCPC FILE NUMBER**

ZC 21-02

**NCPC MAP FILE NUMBER**

00:00(06.00)45348

**REFERRED BY**

Zoning Commission of the District of Columbia

**DETERMINATION**

Approval of report to the Zoning  
Commission of the District of  
Columbia

**REVIEW AUTHORITY**

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 several inclusionary zoning-related text amendments from the Office of Planning (DC OP) for review and comment. The amendments would expand potential developable areas within the Anacostia Historic District (R-3 Zoning); Georgetown Historic District (MU-13 Zoning); and Capitol Hill Historic District (NC-6 Zoning, Eight Street). Additionally, the new amendments would apply to non-historic district zones in Dupont Circle (RA-5 and RA-10 Zoning); Capitol Gateway (CG-1 Zoning); and around the Naval Observatory (MU-27 Zoning). All of these zones are presently exempt from the inclusionary zoning program, and the amendments would apply the program to these zones to help extend mixed income housing to other parts of the District, particularly in high-cost areas where affordable housing is currently limited.

Specifically, the text amendments apply to the following Zoning Regulations:

1. Revisions to General Rules (Subtitle C §1003);
2. Revisions to Residential House (R) Zones (Subtitle D §§ 105, 302, and 5206);
3. Revisions to Residential Apartment (RA) Zones (Subtitle F §§ 105, 302, 304, 602, and 604);
4. Revisions to Mixed-Use (MU) Zones (Subtitle G §§ 104, 502, 503, 504, 802, and 804);
5. Revisions to Neighborhood Mixed-Use (NC) Zones (Subtitle H §§ 103, 702, and 703); and
6. Revisions to Special Purpose Zones (Subtitle K §§ 500, and 501).


In particular, the proposed amendments would expand the District's inclusionary zoning (IZ) program through reductions to minimum lot area requirements (R-3); increases to matter-of-right development heights (MU-13, NC-6); maximum lot occupancy increases (RA-5/10, CG-1, MU-27); maximum Floor-to-Area (FAR) increases (MU-13, NC-6, CG-1, MU-27, RA-5/10); and through a minimum lot width special exception (R-3). In addition, the amendments would modify the set-aside requirements for Non-Type 1 Construction (stick-build) and Type 1 Construction (concrete and steel). These amendments represent a first phase of IZ-related changes, with future

phases planned to address non-residential building conversions to residential uses and extending the IZ program to downtown zones.

Federal properties are not subject to local zoning and therefore would not be impacted by the proposed amendment. Further, the amendment is consistent with the 1910 Height Act (which supersedes all District zoning pursuant to DC Code Subtitle A § 402) and does not appear to be inconsistent with the policies set forth in the federal elements of the *Comprehensive Plan for the National Capital* nor would it impact any other identified federal interest.

\* \* \*

Pursuant to delegations of authority adopted by the Commission on April 1, 2021, and per 40 U.S.C. § 8724(a) and DC Code § 2-1006(a), I find the proposed text amendment to Subtitles C, D, F, G, H & K regarding Expanded Inclusionary Zoning is not inconsistent with the Federal Elements of the *Comprehensive Plan for the National Capital*, nor would it impact any other identified federal interest.

 6/24/2021  
Marcel Acosta Date  
Executive Director