

NOTICE OF PROPOSED RULEMAKING
Z.C. CASE NO. 23-26
Office of Planning
(Text Amendments to Subtitle G §§ 203 and 208 to Create a Building Height Transition
Setback and a Side Yard in the MU-10 Zone on Square 175)

The Zoning Commission for the District of Columbia (Commission), pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797; D.C. Official Code § 6-641.01 (2018 Repl.)), and pursuant to § 6 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206, as amended; D.C. Official Code § 2-505 (2013 Repl.)), hereby gives notice of its proposal to adopt the amendments to Subtitle G §§ 203 and 208 of the Zoning Regulations that are listed below.

The amendments are intended to accomplish the following:

- Amend Subtitle G, Chapter 2, Development Standards for Mixed-Use (MU) Zones – MU-1 through MU-15 to create building height transition setback and side yard regulations for the MU-10 zone on Square 175:
 - The proposal would amend Subtitle G § 203 to add a new height regulation for the MU-10 zone on Square 175 to limit the maximum permitted building height, not including a penthouse or rooftop structure, to sixty feet (60 ft.) for the first forty feet (40 ft.) of horizontal depth measure from the lot line on the south side of the public alley that abuts the rear of Lots 24, 25, 26, 27, 28, and 29; and
 - The proposal would also amend Subtitle G § 208 to add a new side yard regulation for the MU-10 zone on Square 175 to require that a twelve-foot (12 ft.) side yard be provided from any lot line adjoining an RA zone for the first one hundred forty-five feet (145 ft.) of horizontal depth as measured from the U Street, N.W. lot line;
- This text amendment case is a companion to Z.C. Case No. 23-02, which is a map amendment to rezone Lots 826 (1617 U Street, N.W.) and 827 (1620 V Street, N.W.) (collectively, the Site) in Square 175 from the MU-4 zone to the MU-10 zone; however, the MU-4 zone will be retained along V and 17th Streets, N.W. Specifically, the MU-10 zone is pulled back 80 feet parallel to V Street and 80 feet parallel to 17th Street from V Street, south to the center line of Seaton Street to maintain the status quo along V and 17th Street frontages and provide a transition of densities. The Office of Planning (OP) proposes this text amendment to address concerns from the public about the proposed MU-10 zone and the potential impact a future building may have on existing residential uses to the north and directly adjacent to the east of the Site.

The Commission took proposed action authorizing publication of this notice at the conclusion of the December 5, 2024 public hearing it held on the case.

Proposed Zoning text amendments

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).

I. Proposed Amendment to Subtitle G, MIXED USE (MU) ZONES

Section 203, HEIGHT, of Chapter 2, DEVELOPMENT STANDARDS FOR MIXED-USE (MU) ZONES – MU-1 THROUGH MU-15, of Subtitle G, MIXED USE (MU) ZONES, is proposed to be amended by amending § 203.2, adding a new § 203.3, and renumbering §§ 203.4 and 203.5 to §§ 203.5 and 203.6 as follows:

203.2 The maximum permitted height of buildings or structures and number of stories, except as provided in Subtitle G §§ 203.3 through ~~203.5~~ **203.6**, ...

203.3 **In the MU-10 zone on Square 175, the maximum permitted building height, not including a penthouse or rooftop structure, shall be limited to sixty feet (60 ft.) for the first forty feet (40 ft.) of horizontal depth, measured from the lot line on the south side of the public alley that abuts the rear of Lots 24, 25, 26, 27, 28, and 29.**

~~203.3~~ **203.4** ...

~~203.4~~ **203.5** ...

~~203.5~~ **203.6** ...

Section 208, SIDE YARD, of Chapter 2, DEVELOPMENT STANDARDS FOR MIXED-USE (MU) ZONES – MU-1 THROUGH MU-15, of Subtitle G, MIXED USE (MU) ZONES, is proposed to be amended by adding a new § 208.4 and renumbering as follows:

208.4 **Notwithstanding Subtitle G §§ 208.2 and 208.3, in the MU-10 zone on Square 175, a side yard shall be provided for a building or structure for a minimum width of twelve feet (12 ft.) from any lot line adjoining an RA zone for the first one hundred forty-five feet (145 ft.) of horizontal depth as measured from the lot line on U Street, N.W.**

~~208.4~~ **208.5** ...

~~208.5~~ **208.6** ...

~~208.6~~ **208.7** ...

The complete record in the case can be viewed online at the Office of Zoning's Interactive Zoning Information System (IZIS), at <https://app.dcoz.dc.gov/Content/Search/Search.aspx>.

All persons desiring to comment on the subject matter of this proposed rulemaking action should file comments in writing no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with Sharon Schellin, Secretary to the Zoning Commission, Office of Zoning, through the Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001; by e-mail to zcsubmissions@dc.gov; or by fax to (202) 727-6072. Ms. Schellin may be contacted by telephone at (202) 727-6311 or by e-mail at Sharon.Schellin@dc.gov. Copies of this proposed rulemaking action may be obtained at cost by writing to the above address.