

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

**TIME AND PLACE:** **Thursday, March 21, 2024, @ 4:00 p.m.**

**Via WebEx:** <https://dcoz.dc.gov/ZC23-26> (to participate & watch)

**Via Telephone:** 1-650-479-3208 Access code: 2305 240 7117 (audio participation & listen)

**Via YouTube:** <https://www.youtube.com/c/DCOfficeofZoning> (to watch)

**Instructions:** <https://dcoz.dc.gov/release/virtual-public-hearings>

**Witness Sign Up:** <https://dcoz.dc.gov/service/sign-testify>

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

**Z.C. Case No. 23-26 (Office of Planning – Proposed Text Amendment to Create a Building Height Transition Setback and a Side Yard in the MU-10 Zone on Square 175)**

**THIS CASE IS OF INTEREST TO ANCs 1B AND 2B**

**Oral and Written Testimony**

- All who wish to testify in this case are **strongly encouraged** to sign up to do so **at least 24 hours prior to the start of the hearing** on OZ’s website indicated above. Also, see below: *How to participate as a witness – oral statements*. **On the day of the hearing – by 3:00 p.m.**, call 202-727-0789 to sign up to testify.
- All written comments and/or testimony **must be submitted to the record at least 24 hours prior to the start of the hearing** – see below: *How to participate as a witness – written statements*.

On November 20, 2023, the Office of Planning (“OP”) filed a set down report that served as a petition proposing a text amendment to Title 11 of the DCMR (Zoning Regulations of 2016, the “Zoning Regulations”) that would 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.

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 known as the “Site”) in Square 175 from MU-4 to MU-10. 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 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 as follows:

- (a) From the lot line on V Street, N.W.; and
- (b) 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.

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.

At its November 30, 2023 public meeting, the Zoning Commission (“Commission”) voted to set down the proposed text amendment for a public hearing as a rulemaking case.

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>.

**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).

**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 as follows:**

**203 HEIGHT**

203.1 Except as provided elsewhere in this title, the maximum permitted height of buildings or structures, not including a penthouse or rooftop structure, and the maximum number of stories shall be as set forth in section.

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**, shall be as set forth in the following table:

**TABLE G § 203.2: MAXIMUM HEIGHT AND NUMBER OF STORIES**

<b>Zones</b>	<b>Maximum Height, Not Including Penthouse or Rooftop Structure (ft.)</b>	<b>Maximum Number of Stories</b>
MU-1	65 70 (IZ)	No Limit
MU-2	90	No Limit
MU-3A	40	3
MU-3B	50	4
MU-4	50	No Limit
MU-5A	65 70 (IZ)	No Limit

Zones	Maximum Height, Not Including Penthouse or Rooftop Structure (ft.)	Maximum Number of Stories
MU-5B	75	No Limit
MU-6A MU-6B	90 100 (IZ)	No Limit
MU-7A MU-7B	65	No Limit
MU-8A MU-8B	70	No Limit
MU-9A MU-9B	90 100 (IZ)	No Limit
MU-10	90 100 (IZ)	No Limit
MU-11	40	No Limit
MU-12	45 50 (IZ)	No Limit
MU-13	60 80 (IZ)	No Limit
MU-14	90 100 (IZ)	No Limit
MU-15	110	No Limit

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 as follows:**

**(a) From the lot line on V Street, N.W.; and**

**(b) 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**

In any of the MU-11 zones, a building or structure located on, in, or over the water; or a watercraft, including a floating home shall have a maximum height of twenty-five feet (25 ft.), not including a penthouse or rooftop structure. For the purposes of this subsection, the maximum height shall be measured from the mean high-water level along the shore directly in front of the building, structure, or watercraft to the highest point of the building or structure, not including sailboat masts.

~~203.4~~ **203.5**

In any of the MU-15 zones, a building or other structure may be erected to a height not exceeding one hundred-thirty feet (130 ft.), not including a penthouse or rooftop structure; provided, that the building or other structure shall face or abut a street not less than one hundred-ten feet (110 ft.) wide between building lines.

~~203.5~~ **203.6**

In any of the MU-1, MU-2, MU-10, or MU-12 through MU-14 zones, a public recreation and community center may not be erected to a height exceeding forty-five feet (45 ft.), not including a penthouse or rooftop structure.

**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           SIDE YARD**

- 208.1           Except as provided elsewhere in this title, in any of the MU-1 through MU-15 zones, the minimum side yard shall be as set forth in this section.
- 208.2           In any of the MU-1 through MU-10 and MU-15 zones, no side yard is required for a building or structure other than a detached or semi-detached single household dwelling; however, if a side yard is provided, it shall be at least two inches (2 in.) wide for each one foot (1 ft.) of height of building, but no less than five feet (5 ft.).
- 208.3           In any of the MU-1 through MU-10 and MU-15 zones, a minimum side yard of eight feet (8 ft.) shall be provided for a detached or semi-detached single household dwelling.
- 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**       In any of the MU-11 zones, for any building or structure located in whole or in part on land, the minimum width of each side yard shall be twelve feet (12 ft.).
- ~~208.5~~ **208.6**       In any of the MU-12, MU-13, and MU-14 zones, no side yard shall be required; however, if a side yard is provided, it shall be at least eight feet (8 ft.) in width.
- ~~208.6~~ **208.7**       Any portion of a building set back from the side lot line shall be considered a side yard and not a court.

This public hearing will be conducted in accordance with the rulemaking provisions of Subtitle Z, Chapter 5, of the Zoning Regulations as well as the text adopted by the Commission on October 15, 2020, in Z.C. Case No. 20-11, as published in the Notice of Final Rulemaking published in the *D.C. Register* on October 30, 2020.

**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 Ella Ackerman 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. 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, provided that **all written comments and/or testimony must be submitted to the record at least 24 hours prior to the start of the hearing, unless approved by the Commission upon request to be introduced at the public hearing.** 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 [zsubmissions@dc.gov](mailto:zsubmissions@dc.gov). Please include the case number on your submission. If you are unable to use either of these means of submission, please contact Ella Ackerman 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 petition, and sets forth the information that the report must contain. Pursuant to Subtitle Z § 505.2, an ANC that wishes for oral testimony of the ANC representative to be given great weight must file a written report approved by the ANC in support of the testimony within seven days of the public hearing.

**FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**ANTHONY J. HOOD, ROBERT E. MILLER, TAMMY STIDHAM, AND JOSEPH S. IMAMURA ----- 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.

**ለሚሳተፍ 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። እንኳ አገልግሎቶች የሚሰጡት በነጻ ነው።

*This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at [opengovoffice@dc.gov](mailto:opengovoffice@dc.gov).*