

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING

Z.C. Case No. 24-18

Living Classrooms

(Text Amendment to Subtitle A § 301.3(h) and Subtitle K § 200.6-200.9; 230.5, 230.6, & 239.1)
October 9, 2025

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), as amended; 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; D.C. Official Code § 2-505(c) (2016 Repl.)), hereby gives notice of its adoption of amendments to Subtitle A § 301.3(h) and Subtitle K § 200.6-200.9, 230.5, 230.6, and 239.1 of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations, Zoning Regulations of 2016, to which all references are made unless otherwise specified), with the text at the end of this notice.

SETDOWN

On November 22, 2024, Living Classrooms (Petitioner) filed a Petition to the Commission proposing text amendments to the Zoning Regulations regarding uses allowed in the Southeast Federal Center (SEFC)-4 zone to permit Living Classrooms, a non-profit organization devoted to educational and workforce development opportunities, to locate its headquarters on the P3 Parcel in the Yards. Living Classrooms currently operates the marina at the Yards and docks its Mildred Belle vessel, which offers shipboard environmental science, technology, engineering, and mathematics (STEM) educational programming at the marina. The proposed text amendments would do the following:

- Clarify that educational, institutional, and eating and drinking establishment uses are permitted in the SEFC-4 Zone “development area”;
- Amend the “development area” description to add the location of the P3 Parcel;
- Amend requirements that each development site within the SEFC-4 zone be on a subdivided lot, without expanding the development sites beyond the current development sites and the proposed P3 Parcel site; and
- Simplify and clarify the floor area ratio (FAR) aggregation principles applicable in the SEFC-4 Zone.

(Exhibit [Ex.] 1-2D).

The SEFC-4 zoning that is the subject of this Petition was established to implement the master plan for the P3 Parcel within the Southeast Federal Center (the SEFC Master Plan). The P3 Parcel (the site) is located at the southeastern corner of the SEFC Master Plan, within Yards Park and adjacent to the Anacostia River; the P3 Parcel is part of the portion of Square 771, Lot 816 that remains under federal ownership. The SEFC Master Plan identifies the P3 Parcel as a “cultural/community” use. (Ex. 2C.)

While the Living Classrooms use was part of the SEFC Master Plan, the current Zoning Regulations do not allow the uses provided by Living Classrooms. The objectives of the amendments are to advance the purposes and objectives of the SEFC zones, consistent with the SEFC Master Plan and other applicable planning guidance, including the Comprehensive Plan as viewed through a racial equity lens¹. The SEFC zones “provide for the development of a vibrant, urban, mixed-use, waterfront neighborhood, offering a combination of uses that will attract residents, office workers, and visitors from across the District of Columbia and beyond.” (Subtitle K § 200.1). Other specific, stated purposes and objectives of the SEFC zones include:

- Fostering “development of the area with a mixture of residential and commercial uses” “suitable in height, bulk, and design of buildings as identified in the Comprehensive Plan and in recognition of the Anacostia Waterfront Initiative”;
- Encouraging a pedestrian-oriented streetscape and continuous publicly accessible open space along the waterfront;
- Encouraging a variety of visitor-related uses, including retail, entertainment, and cultural uses, including within Yards Park; and
- Providing for a reduced height and bulk along the Anacostia riverfront (*Id.* § 200.2). (Ex. 2D).

Living Classrooms intends to develop the P3 Parcel with a new facility that will include maritime education classrooms that work in tandem with its in-water programming, other educational facilities, and space devoted to workforce training and job readiness, including a ground floor culinary training program. The purpose of the proposed amendments is to align the Zoning Regulations with SEFC Master Plan and authorize Living Classrooms’ mix of uses, subject to Zoning Commission approval. Accordingly, a subsequent request from Living Classrooms for approval of the specific uses with the design of the proposed building will come in a forthcoming design review application² (Ex. 2C).

Racial Equity – The Petitioner’s racial equity analyses states that the proposed amendments would not be inconsistent with and would further policy goals and guidance of the Comprehensive Plan maps, Citywide Elements, the Lower Anacostia Waterfront and Near Southwest Area Element, the SEFC Master Plan, and the Anacostia Waterfront Framework Plan (AWI Plan) (Ex. 2D).

Community Outreach and Engagement – The Petitioner states that its community outreach and engagement efforts regarding the Petition initially began in 2018 and have consisted of a series of

¹ Pursuant to 10-A DCMR §§ 2501.4-2501.6, 2501.8, the Commission is tasked with evaluating the Petition’s consistency with the Comprehensive Plan through a racial equity lens. Consistent with Comprehensive Plan guidance, the Commission utilizes a Racial Equity Analysis Tool in evaluating zoning actions through a racial equity lens; the Commission released a revised Tool on February 3, 2023. The revised Tool requires submissions from petitioners and the Office of Planning analyzing the zoning action’s consistency with the Citywide and Area Elements of the Comprehensive Plan, and Small Area Plans, if applicable; a submission from petitioners including information about their community outreach and engagement efforts regarding the zoning action; and a submission from the Office of Planning including disaggregated race and ethnicity data for the Planning Area affected by the zoning action.

² Any future development on the P3 Parcel site will be subject to a mandatory design review before the Commission based on the review standards under Subtitle K §§ 241 and 242; and the general design review standards of Subtitle X § 604.

community meetings and events hosted in the Petitioner's current space as well as presenting the Petition to Advisory Neighborhood Commission (ANC) 6D and 8F³, the Capitol Riverfront BID, District and federal agencies, and other community stakeholders (Ex. 2D, 11).

OP SETDOWN REPORT

On March 31, 2025, the Office of Planning (OP) submitted a report (OP Setdown Report), stating that the proposed amendments would not be inconsistent the Comprehensive Plan map⁴ designations; would further policy goals of Citywide Elements, including the Land Use, Economic Development, Parks, Recreation and Open Space, Urban Design, Historic Preservation, and Educational Facilities Elements; would further policy goals of the Lower Anacostia Waterfront and Near Southwest Area Element; would further Comprehensive Plan racial equity goals; and would further the objectives of the Anacostia Waterfront Initiative Framework Plan (AWI Plan) and the Southeast Federal Center Master Plan (Ex. 9). OP concluded that the SEFC-4 zone is intended to encourage open space, promote a lively, interactive waterfront environment, discourage parking, provide a development area for retail and cultural uses, and allow for a publicly accessible pedestrian and bicycle trail along the waterfront. Further, Parcel P3 has frontage along the Anacostia Riverwalk Trail and does not have direct street frontage, therefore, there should be no additional parking associated with future development of the site. The proposed use of the P3 Parcel for Living Classrooms could contribute to promoting the waterfront as an engaging and equity-driven Districtwide destination by offering hands-on job training and educational opportunities for current and future residents of all ages. Also, the proposed educational, institutional and eating and drinking uses for the SEFC-4 zone should not be inconsistent with the zone and the surrounding area and uses. The OP Setdown Report recommended the Commission set the down Petition for public hearing.

Racial Equity – OP's racial equity analyses concluded that the proposed amendments should have no significant racial equity impacts. The proposal would not result in any new housing and because of the relatively isolated nature of the site and its current use, the proposal would not result in any direct displacement and has minimal potential for indirect displacement. The proposal would facilitate development of a site that is currently not developed, which has been the case since the SEFC Master Plan was approved. Permitting the proposed uses in the SEFC-4 zone could create opportunities for jobs, training, and health and wellness programming, all of which the Living Classrooms organization offers (Ex. 9).

At its April 10, 2025, public meeting, OP presented its Setdown Report on the Petition, and the Commission voted to set down the Petition for public hearing.

³ ANC 8F is ANC 6/8F.

⁴ The northern portion of the site is designated as Federal, and the southern portion of the site is designated as Parks, Recreation, and Open Space on the Future Land Use Map of the Comprehensive Plan; the site is designated as a Regional Center as well as within a Resilience Focus Area on the Generalized Policy Map of the Comprehensive Plan.

NOTICE

Pursuant to Subtitle Z § 502, the Office of Zoning (OZ) sent notice of the June 16, 2025, public hearing, on April 22, 2025 (Ex. 13, 13A) and published notice of the public hearing in the April 25, 2025, *District of Columbia Register* as well as on the calendar on OZ's website (Ex. 12).

PUBLIC COMMENTS

No public comments were filed to the record in response to the public hearing notice.

OTHER AGENCY COMMENTS

On May 27, 2025, the District Homeland Security and Emergency Management Agency filed a report stating it reviewed the Petition and has no objection to the proposed text amendments, provided that the newly proposed development adheres to the Zoning Regulations particularly Subtitle C, Chapter 11 for Waterfront sites (Ex. 16).

OP HEARING REPORT

On June 6, 2025, OP submitted a report (OP Hearing Report) that reiterated the analyses and conclusions in the OP Setdown Report but included more current disaggregated race and ethnicity data for the Lower Anacostia Waterfront and Near Southwest Planning Area than the data included in the OP Setdown Report⁵ (Ex. 18). The data is summarized below:

Racial Equity (Disaggregated Race and Ethnicity Data) – OP's analyses stated that data for the Lower Anacostia Waterfront and Near Southwest Planning Area (LAW/NSW) shows a total population increase from seventeen thousand two hundred fifty-four (17,254) in the 2012-2016 period to twenty-seven thousand six-hundred forty-one (27,641) in the 2019-2023 period, demonstrating that the area is growing in population. For the 2019-2023 period, the planning area population was fifty-five percent (55%) White, thirty-one percent (31%) Black, eight percent (8%) Hispanic, and four percent (4%) Asian. For the 2012 -2016 period, the median household income for LAW/NSW was eighty thousand seven hundred seventy-nine dollars (\$80,779). For the 2019-2023 period, the median household income for the LAW/NSW area was one hundred twenty-two thousand five hundred forty-eight dollars (\$122,548) compared to the District average of one hundred six thousand two hundred eighty-seven dollars (\$106,287); the median income for all races and groups increased in the planning area between the two time periods but Blacks have the lowest median income although higher than the District median. For the 2019-2023 period, the percentage of renter households in the planning area (seventy-six and seven-tenths percent [76.7%]) is higher than that of owner households in the planning area (23.3%), and the percentage of renter households increased while the percentage of owner households decreased between the two time periods. Cost burdened households sit lower than the District at thirty-two and six-tenths percent (32.6%) for the LAW/NSW area compared to thirty-four percent (34%) for the District for the 2019-2023 period. Also, the planning area had a lower unemployment rate at twelve and four-tenths percent (12.4%) compared to the District rate of fourteen and one-half percent (14.5%) for the same period (Ex. 18).

⁵ The data in the OP Hearing Report updates the data in the OP Setdown Report as it consists of American Community Survey data for two (2) five (5)-year periods both in the Lower Anacostia Waterfront and Near Southwest Planning Area and Districtwide, including the 2012-2016 and the 2019-2023 periods. The OP Setdown Report included older data for the 2012-2016 and the 2018-2022 periods.

PUBLIC HEARING

At the June 16, 2025, public hearing, the Petitioner presented the Petition and answered clarification questions from the Commission. OP testified in support of Petition.

No other persons or organizations testified at the public hearing.

PROPOSED ACTION

At the conclusion of the June 16, 2025, public hearing, the Commission voted to take **PROPOSED ACTION** to:

- Adopt the Petition; and
- Authorize the publication of a Notice of Proposed Rulemaking (NOPR).

VOTE (June 16, 2025): 5-0-0

(Tammy Stidham, Joseph S. Imamura, Anthony J. Hood, Robert E. Miller and Gwen Wright to approve.)

National Capital Planning Commission (NCPC)

The Commission referred the proposed text amendment to the NCPC on June 17, 2025, for the thirty (30)-day review period required by Section 492(b)(2) of the District Charter (Dec. 24, 1973, Pub. L. 93-198, title IV, § 492(b)(2); D.C. Official Code 6-641.05 (2018 Repl.)) (Ex. 21).

NCPC filed a report dated July 11, 2025, stating that the proposed text amendment is not inconsistent with the Comprehensive Plan for the National Capital and would not adversely impact any other identified federal interests (Ex. 22).

OZ published a NOPR in the August 15, 2025, *District of Columbia Register* (72 DCR 009039 *et seq.*) (Ex. 23, 24).

The Commission received no comments in response to the NOPR.

FINAL ACTION

Great Weight to the Recommendations of OP

The Commission must give great weight to the recommendations of the Office of Planning (OP) pursuant to § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990. ((D.C. Law 8-163; D.C. Official Code § 6-623.04 (2018 Repl.)) and Subtitle Z § 504.6 (*Metropole Condo. Ass'n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016))).

The Commission finds persuasive, and concurs with, OP's analyses in its reports and its recommendation that the Commission take final action to adopt the amendments as published in the NOPR.

Great Weight to the Written Report of the ANC

The Commission must give great weight to the issues and concerns raised in the written report of an affected ANC that was approved by the full ANC at a properly noticed public meeting pursuant to § 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d) (2012 Repl.)) and Subtitle Z § 505.1. To satisfy the great weight requirement, the Commission must articulate with particularity and precision the reasons why an affected ANC does or does not offer persuasive advice under the circumstances (*Metropole Condo. Ass'n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016)). The District of Columbia Court of Appeals has interpreted the phrase “issues and concerns” to “encompass only legally relevant issues and concerns.” (*Wheeler v. District of Columbia Board of Zoning Adjustment*, 395 A.2d 85, 91 n.10 (1978) (citation omitted)).

On May 29, 2025, ANC 6/8F filed a report in response to the Petition stating that at its regularly scheduled and properly noticed public meeting on May 20, 2025, with a quorum present, the ANC voted 5-0-0 in support of the Petition (Ex. 17).

At its October 9, 2025, public meeting, the Commission voted to take **FINAL ACTION** to:

- Adopt the Petition as published in the NOPR; and
- Authorize the publication of a Notice of Final Rulemaking.

VOTE (October 9, 2025): 3-0-2

(Anthony J. Hood, Gwen Wright, and Robert E. Miller to approve; Joseph S. Imamura and Tammy Stidham, not present, not voting.)

In accordance with the provisions of Subtitle Z § 604.9, this Order No. 24-18 shall become final and effective upon publication in the *District of Columbia Register*; that is, on November 14, 2025.



ANTHONY J. HOOD
CHAIRMAN
ZONING COMMISSION



SARA A. BARDIN
DIRECTOR
OFFICE OF ZONING

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

TEXT AMENDMENT

The proposed amendments to the text of the Zoning Regulations are as follows.

I. Amendments to Subtitle A

Subsection 301.3 of § 301 BUILDING PERMITS, of Chapter 3, ADMINISTRATION AND ENFORCEMENT, of Subtitle A, AUTHORITY AND APPLICABILITY, is amended to add a new § 301.3(h) to read as follows:

301.3 Except as provided in the building lot control regulations for Residence Districts in Subtitle C and § 5 of An Act to amend an Act of Congress approved March 2, 1893, entitled “An Act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities,” and for other purposes, approved June 28, 1898 (30 Stat. 519, 520, as amended; D.C. Official Code § 9-101.05, a building permit shall not be issued for the proposed erection, construction, or conversion of any principal structure, or for any addition to any principal structure, unless the land for the proposed erection, construction, or conversion has been divided so that each structure will be on a separate lot of record; except a building permit may be issued for:

- (a) ...
- (f) Buildings and structures approved as part of a campus or private school plan or medical campus plan;
- (g) Playing fields and associated accessory structures to support such fields and, if permitted by the Zoning Commission, an unenclosed pavilion, on the unzoned property comprising and abutting the Robert F. Kennedy Memorial Stadium, subject to Subtitle A § 209.2(c); and
- (h) Buildings and structures within the SEFC-4 Zone District pursuant to Subtitle K, Chapter 2.

II. AMENDMENTS TO SUBTITLE K

Subsections 200.6-200.9 of § 200, GENERAL PROVISIONS (SEFC), of Chapter 2, SOUTHEAST FEDERAL CENTER ZONES – SEFC-1 THROUGH SEFC-4, of Subtitle K, SPECIAL PURPOSE ZONES, are amended to read as follows:

200.6 The SEFC-4 zone provides for a five (5) acre minimum public park along the Anacostia River, with defined areas for retail, cultural, education, and institutional uses to serve residents of the neighborhood and the District of Columbia.

200.7 Additional objectives for the SEFC-4 zones are to:

- (a) ...;
- (d) Provide a development area for retail, cultural, educational, and institutional uses;
- (e) ...

200.8 The SEFC-4 zone is divided into two geographic areas:

- (a) SEFC-4 development area, consisting of (1) the northeastern portion of the SEFC- 4 zone, specifically the existing Building 173 and that portion of the SEFC-4 zone located directly to the east of Building 173, north of a line extending east from the south elevation of Building 173, and (2) the far eastern portion of the SEFC-4 zone that is immediately south of the Washington Navy Yard and is identified in the Southeast Federal Center Master Plan as Parcel P3; and
- (b) ...

200.9 Notwithstanding the subdivision requirements of Subtitle C § 302, two (2) or more principal buildings or structures may be erected as a matter-of-right on a single lot within the SEFC-4 zone provided that such principal buildings or structures comply with all other theoretical lot subdivision requirements of Subtitle C § 305, except that the maximum permitted density for the SEFC-4 zone District shall be aggregated across the entire SEFC-4 zone and allocated to each theoretical lot in any manner so long as the maximum permitted density set forth in Subtitle K § 230 is not exceeded.

Subsections 230.5 and 230.6 of § 230, DENSITY – FLOOR AREA RATIO (FAR) (SEFC-4), of Chapter 2, SOUTHEAST FEDERAL CENTER ZONES – SEFC-1 THROUGH SEFC-4, of Subtitle K, SPECIAL PURPOSE ZONES, were deleted.

Subsection 239.1 of § 239, USE PERMISSIONS (SEFC-4), of Chapter 2, SOUTHEAST FEDERAL CENTER ZONES – SEFC-1 THROUGH SEFC-4, of Subtitle K, SPECIAL PURPOSE ZONES, is amended to read as follows:

239.1 Within the SEFC-4 development area, use permissions, including uses permitted as a matter of right, as a special exception, and as an accessory use, and uses not permitted shall be in accordance with the provisions of MU-Use Group B, as prescribed in Subtitle U §§ 505 and 506. In addition, the following uses shall be permitted if reviewed and approved by the Zoning Commission in accordance with the standards specified in Subtitle K § 241 and procedures specified in Subtitle K § 242:

- (a) Education;
- (b) Institutional; and
- (c) Eating and drinking establishments.