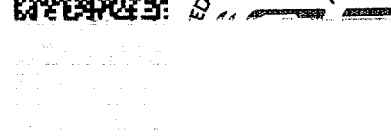


441 4th STREET, N.W. SUITE 200-S/210-S
WASHINGTON, D.C. 20001

OFFICIAL BUSINESS
PENALTY FOR MISUSE



BE

ANC 4C
P.O. Box 60847
Washington, DC 20039-0847

NAFIC 201 DE 1 0601/27/17
RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD
ZONING COMMISSION
District of Columbia
CASE NO. 04-33G
EXHIBIT NO. 257

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Zoning Commission



**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING**

AND

Z.C. ORDER NO. 04-33G

Z.C. Case No. 04-33G

(Text Amendment – Inclusionary Zoning – Amendments to Subtitle C, Chapter 10)

October 17, 2016

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 (2012 Rep1.), hereby gives notice of its adoption of amendments to Subtitles B, C, and I of Title 11 (Zoning Regulations of 2016) of the District of Columbia Municipal Regulations (DCMR). At the time it took final action to adopt these rules the Commission also authorized a notice of proposed rulemaking for a provision that had been advertised in the notice of public hearing for this case, but which was inadvertently omitted from the notice of proposed rulemaking. That notice is being published in this issue of the *D.C. Register*. Also being published in this issue is a notice of final rulemaking for Z.C. Case No. 04-33H, which adopts amendments to 11-C DCMR § 1001.6(a), including amendments originally proposed in this case.

The Inclusionary Zoning Regulations contained in Chapter 10 of Title 11-C require that inclusionary developments reserve a percentage of residential gross floor area for Inclusionary Units. The amendments provide that ownership of inclusionary units must be reserved for households earning equal to or less than eighty percent (80%) of the Median Family Income¹ (MFI) while rental inclusionary units must be reserved for households earning equal to or less than sixty percent (60%) of the MFI. A deeper level of affordability will continue to be required when the set-aside is attributable to penthouse habitable space. (*See* 11-C DCMR § 1003.7.) The amendments also allow for voluntary compliance; clarify how set-aside requirements are calculated; permit a twenty percent (20%) reduction of the set-aside applicable to an inclusionary development that is exclusively comprised of ownership units if the units are set aside to households earning sixty percent (60%) of the MFI, clarify development standards, allow owner/occupants of inclusionary units to request relief when certain circumstances are met; and adds definitions for “bedroom” and “inclusionary development.”

¹ Median Family Income is defined by Title 11-B, § 100.2 as the “Median Family Income for a household in the Washington Metropolitan Statistical Area as set forth in the periodic calculation provided by the United States Department of Housing and Urban Development, adjusted for family size without regard to any adjustments made by the United States Department of Housing and Urban Development for the purposes of the programs it administers.”