



ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

Public Hearing on CASE NO. 18-06 (Office of Planning – Text Amendment to Subtitle G - Creating a New MU-4A Zone and Renaming MU-4 to MU-4B

July 23, 2018

The Committee of 100 (“C100”) is pleased to present testimony in support of the creation of a new MU-4A zone. Dividing the MU-4 zone into MU-4A and B makes perfect sense when considering different development patterns in certain areas of the city; as well as, the juxtaposition of residential and mixed-use zones. The full C100 report is found in the record at Exhibit 7.

The C100 strongly urges the Zoning Commission revise the Purpose and Intent of the MU-4 Zones found at § 400 to make the proposed MU-4A zone a citywide option and to map it accordingly. Using the criteria found in Subtitle A, Chapter 1 §§ 101.2 and 101.3, which consider the character of the respective zones and the required development standards, the new MU-4A zone seems especially well suited for mixed-use areas which abut low density residential zones – and I am specifically referring to R-1-A and B residential zone districts. These two zones – mixed-use and residential – may not be located on the same parcel, and there may be some separation such as an alley or street between the MU and R zones, however, that is not always the case. When mapping the MU-4A zones, in addition to proximity to R-1 zones, the Zoning Commission may wish to use one of the same criteria established for parking, i.e., the subject MU-4A zone must be located at least one-half mile (0.5 mi.) away from a Metrorail station. Also, these low density mixed-use zones are not located within one quarter mile (0.25 mi.) of a Priority Corridor Network Metrobus route nor do they have access to day-long rapid transit. Their density is low rather than moderate.

It was a disappointment to discover OP’s Corrected Report filed after C100 had filed its submission into the record. The rear yard requirement – 20 ft. seems much more appropriate than 15 ft. for the MU-4A zone. When the Zoning Commission considers that rear yard setbacks for the lowest density categories in all the “R” zones is at least 20 ft., it makes sense that the abutting mixed-use zone would have

the same setback requirement; but, that is not what is proposed. In both ZR-16 and this text amendment, OP proposes a 15 ft. rear yard for the MU-4 zones. This hearing provides an opportunity for the Zoning Commission to establish a new mixed-use zone with a slightly more generous rear setback. Also, suggesting a public street or alley serves as a buffer between the Residential and Mixed Use Zone is somewhat unrealistic – it’s not as if there is no activity in the street or alley or that they actually “buffer” anything. Yes, they provide a separation of sorts but that’s about as far as it goes. Adding an additional five feet (5 ft.) to the MU-4A setback should be a consideration.

The C100 also suggests establishing a new FAR allowance for both residential and nonresidential uses in the new MU-4A zone of 1.5 max. and 2.0 max. with IZ to bring residential and mixed-use zones into compatibility with one another. The R-1-A and R-1-B zones have no FAR restriction and even the FAR in the RA-1 zone, the former R-5-A zone, is limited to .9 FAR. By way of comparison, the RA-1 zone is limited to 40 feet and three stories; while the MU-4A zone is limited to 50 ft. and an unspecified number of stories. Height, number of stories and lot occupancy requirements would not change in the new MU-4A zone; but, the Zoning Commission should consider setting a lower FAR to control overall bulk.

The C100 supports the proposed Transition Setback Requirements found at § 411 in the July 13 OP Final Report.

In closing the C100 **supports**:

- the creation of a new MU-4A zone;
- citywide application and mapping of the new zone subject to certain criteria;
- a twenty foot (20 ft.) rear setback;
- a FAR allowance of 1.5 max and a FAR allowance of 2.0 max. with IZ for both residential and nonresidential uses;
- transition setback requirements as outlined in the proposed § 411; and,
- **PLEASE** codify a definition in ZR-16 for the term “abut.”