

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: ^{JLS}
Jennifer Steingasser, AICP
Deputy Director, Development Review & Historic Preservation

DATE: April 17, 2020

SUBJECT: ZC Case 19-27A – Set Down Report for Proposed Zoning Text Amendments to Subtitles C, G, H, and K – Zoning Reorganization.

I. RECOMMENDATION

The Office of Planning recommends the Zoning Commission 1) **set down** for a public hearing, amendments to Subtitles C, G, H, and K of the zoning regulations and 2) advertise the proposed amendments of this case and ZC Case No. 19-27 together for a joint rulemaking hearing.

The proposed text amendments would:

- Reorganize the structure of Subtitles G (Mixed-Use Zones) and H (Neighborhood Mixed-Use Zones) consistent with the zone name changes in case ZC Case No.18-16;
- Incorporate the development standards for public recreation and community centers and libraries into the specific zones as reorganized in Subtitles G and H, and then delete Chapter 16, Subtitle C (General Rules);
- Relocate the Reed Cooke mixed-use zones from Subtitle K (Special Purpose Zones) Chapter 7, to Subtitle G (Mixed-Use Zones) new Chapter 8 (Reed-Cooke); and
- Amend Subtitle U to include the Reed Cooke use restrictions from Subtitle K.

No Substantive Changes

There are no substantive changes to any of the development standards, uses, or other permissions proposed as part of the reorganization cases.

Reorganization

The proposed reorganization of Subtitles G and H is a continuation of the reorganization of title 11 Zoning Regulations. Subtitles D, E, and F (the residential zones) were set down by the Commission as Z.C. Case No. 19-27 in November 2019. The overall reorganization of the zoning regulations will result in specific benefits:

- Reduce duplication of development standards:
 - Primary development standards to be located within a single base zone chapter; and
 - Only those standards that are different to be listed in the modified zone chapter;

- Create an easier understanding of the relationship between zones especially zones with the same base zone (i.e. all the MU-4 share the same primary standards);
- Create an easier understanding of the relationship between the geographically modified zones especially as seen on a zoning map (i.e. all the Capitol Interest (CAP) zones will be easily identified); and
- Reduce the opportunity for error because amendments would be made once to the base zone.

II. BACKGROUND

At the time of adoption of the 2016 Zoning Regulations (ZR16), the Office of Planning agreed to monitor the use and functionality of the new regulations. One of the issues of concern raised at the public hearings was the change to the zone names and the removal of the geographic identification provided through the overlays within the 1958 regulations. The Commission, along with other members of the public expressed concerns about the volume of the ZR16 regulations, which is partially the result of repeating the total development standards for each single zone.

To address these issues, OP proposed a text amendment through Z.C. Case No. 18-16 to revise the existing zone names. The pending new zone names create a familiar and direct link to the common base zones and include the geographic identifiers formerly used in the 1958 overlays. On December 17, 2018 the Commission took proposed action to approve the new zone names.

Process: The reorganization and new zone names were originally discussed in September 2018. At that time, in consultation with the Office of Attorney General, the following process was laid out:

- Zone names would be considered as the first case and proceed through proposed action (Case No. 18-16; proposed action taken December 17, 2018)
- Text reorganization of the land use subtitles would proceed through public hearing and proposed action (Subtitles D,E, F, G, and H and relevant chapters in subtitles C and K)
- Conforming text amendments to the remaining subtitles would proceed through public hearing to proposed action;
- All the reorganized text with new zone names would be considered together for a comprehensive final action.

Other text amendments that have been adopted by the Zoning Commission during this time such as amendments to the Alley Lot regulations (Case No. 19-13) and clarifications of non-conforming structures (Case No. 19-14) will be reflected within the reorganization of the subtitles at final action.

III. PROPOSED TEXT AMENDMENT – THE REORGANIZED TEXT

The proposed reorganization would streamline base zone development standards with consistent headings and the same section numbering throughout the subtitles. In the existing ZR16 zoning regulations, every chapter for a modified zone currently repeats the development standards of the base zone even if the development standard is not modified. As proposed to be reorganized through this case, the geographic zones in Subtitle G and all of Subtitle H would only list development standards that differs from or modify the base zone development standard. Thus, a chapter with modified zone is more focused, and the volume of the regulations is streamlined and reduced.

New zone names for Subtitles G and H from Z.C. Case N0. 18-16:

2016 Zone Name	2020 Zone Name
MU-1	
MU-2	
MU-3A	
MU-3B	
MU-4	
MU-5-A	MU-5A
MU-5-B	MU-5B
MU-6	
MU-7	
MU-8	
MU-9	
MU-10	
MU-11	
MU-12	
MU-13	
MU-14	
MU-15	MU-1/DC
MU-16	MU-2/DC
MU-17	MU-4/DC
MU-18	MU-5A/DC
MU-19	MU-6/DC
MU-20	MU-8/DC
MU-21	MU-9/DC
MU-22	MU-10/DC
MU-23	MU-1/DC
MU-24	MU-4/CAP
MU-25	MU-4/CHC
MU-26	MU-4/ CAP/CHC
MU-27	MU-4/NO
RC-2	MU-4/RC
RC-3	MU-5A/RC
MU-28	MU-7/FT
MU-29	MU-10/FT
MU-30	MU-15

2016 Zone Name	2020 Zone Name
NC-1	MU-3A/MW
NC-2	MU-4/TK
NC-3	MU-4/CP
NC-4	MU-4/WP
NC-5	MU-5A/WP
NC-6	MU-7/ES
NC-7	MU-4/GA
NC-8	MU-7/GA
NC-9	MU-4/HS-H
NC-10	MU-5A/HS-H
NC-11	MU-6/HS-H
NC-12	MU-7/HS-H
NC-13	MU-8/HS-H
NC-14	MU-4/HS-A
NC-15	MU-7/HS-A
NC-16	MU-4/HS-R
NC-17	MU-5A/HS-R

OP recommends the Commission set the case down for public hearing and requests the flexibility to work with the Office of Attorney General to further refine the proposed language.

Exhibits to this case and report include:

- 1) A full red-line version of Subtitles G and H and relevant sections of Subtitles C and K
- 2) A “clean” version of the proposed reorganized text (i.e. without redline).

JS/jk/emv