

Office of Planning Introduces First Phase of Amendments to Increase Inclusionary Zoning

January 22, 2021

On January 18, 2021, the Office of Planning (“OP”) introduced its first set of proposed amendments to the Inclusionary Zoning (“IZ”) Regulations to increase inclusionary housing requirements, known as “IZ XL.” The proposed amendments focus on two objectives:

- First, the amendments seek to expand the IZ program to include seven zones that were previously exempt:
 - R-3 in the Anacostia Historic District;
 - MU-13 in the Georgetown Historic District;
 - NC-6 in the Capitol Hill Historic District;
 - RA-5 (Dupont Circle);
 - RA-10 (Dupont Circle);
 - CG-1; and
 - MU-27 (Naval Observatory).
- Second, the amendments seek to increase the height that dictates the set-aside amount from 50 feet to 85 feet. Currently, a building greater than 50 feet in height is subject to the lower IZ set-aside requirements (8% of the residential floor area or 50% of the bonus density utilized) to account for the increased construction costs of concrete and steel. Based on building code changes and technological improvements that allow for taller stick-built construction, OP aims to raise the threshold to 85 feet. This change would make buildings under 85 feet in height subject to the higher IZ set-aside requirements (10% of the residential floor area or 75% of the bonus density utilized).

The D.C. Zoning Commission will first consider these proposed changes at a public meeting on January 28, 2021, and a public hearing will be held thereafter.

Goulston & Storrs is actively monitoring IZ XL and these proposed text amendments, but information in this alert is subject to change as the proposals progress through the public hearing process. Please contact us if you have questions or want more information.