

Zoning Commission Case No. 25-16

Zoning Text Amendment Petition filed on behalf of McDonald's Corporation

*Petition to Amend Zoning Regulations to Permit Fast-Food Establishments
with Existing Drive-Throughs as a Special Exception*

**ANC 4E Monthly Meeting
Tuesday, July 28, 2026**

Holland & Knight

RATIONALE

Current Zoning Regulations

- Drive-throughs are ***not permitted as a matter of right*** in most mixed-use (MU) zones
- Burdensome entitlement process to revamp and/or modernize existing est. with drive-throughs
 - Example: 10+ years to rezone McDonald's on Nannie Helen Burroughs Avenue (ZC Case No. 24-13)

Proposed Text Amendment

- Enables existing fast-food establishments with drive-throughs to rebuild or expand **through a special exception approval** by the BZA, rather than rezoning
- Will affect properties zoned MU, Neighborhood Mixed-Use (NMU), and PDR.

Sensible Approach

1. Comprehensive Plan + Zoning Map Amendment -> inefficient process
2. Addresses common concerns related to upzoning
3. Encourages modernization and reinvestment in community

ANC 4E IMPACT

- Existing fast-food establishment with drive-through located at 5200 Georgia Avenue, NW (Popeyes)
- Property is zoned MU-4, which falls under MU-Use Group E.



PROPOSED TEXT AMENDMENT FOR MU-USE GROUP E

CHAPTER 5, USE PERMISSIONS FOR MIXED USE (MU) ZONES. § 512, MATTER-OF-RIGHT USES (MU-USE GROUP E) is proposed to be amended as follows:

512.1 The following uses shall be permitted in MU-Use Group E as a matter of right subject to any applicable conditions for each use below.

(a) . . .

(e) Eating and drinking establishment uses, subject to the following conditions:

(1) . . .

(2) A fast food establishment or food delivery service in all other MU-Use Group E zones, subject to the following conditions:

(A) . . .

(D) The use shall not include a drive-through; unless approved as a special exception by the Board of Zoning Adjustment pursuant to Subtitle X, Chapter 9, provided that the drive-through is existing and operational at the time of application or, if discontinued, the discontinuance has not exceeded one (1) year prior to the date of application; and

Status of Z.C. Case No. 25-16

- **September 8, 2025:** Petition filed with Zoning Commission
- **May 28, 2026:** Zoning Commission set down petition for public hearing
- **June 23, 2026:** Correspondence sent to the ANCs where fast-food establishments with drive-throughs are located and would be impacted by the proposal.
- **September 28, 2026:** Zoning Commission will hold public hearing

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