

OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

ERRATA NOTICE

The Administrator of the Office of Documents and Administrative Issuances (ODAI), pursuant to the authority set forth in § 309 of the District of Columbia Administrative Procedure Act, approved October 21, 1968, as amended (82 Stat. 1203; D.C. Official Code § 2-559 (2016 Repl.)), hereby gives notice of a correction to the Notice of Final Rulemaking and Zoning Commission Order No. 19-15, issued by the Zoning Commission of the District of Columbia and published in the *D.C. Register* on February 14, 2020, at 67 DCR 1543, *et seq.*

The final rulemaking amended Subtitles B (Definitions, Rules of Measurement, and Use Categories), H (Neighborhood Mixed Use (NC) Zones), K (Special Purpose Zones), and U (Use Permissions) of Title 11 (Zoning Regulations of 2016) of the District of Columbia Municipal Regulations (DCMR).

Among other changes, the final rulemaking added “Short-Term Rental” as uses permitted by right as an accessory to a principal residential use in the WR zones in which residential uses are allowed (WR-1 through WR-5 and the WR-7 and WR-8 zones). The final rulemaking included the following numbering mistakes:

- Repeated the existing permission for certain retail uses found in paragraph (l) as a new paragraph (m) in § 911.1;
- Erroneously added the provision applying to the WR-7 zone in § 911.3 instead of § 911.4 – § 911.3 governs the WR-6 zone, in which residential uses are not allowed a matter of right; while the text applies to the WR-7 zone, governed by § 911.4;
- Erroneously changed § 911.5, which governs the WR-8 zone, to be applicable to the WR-6 zone, which is instead governed by § 911.3.

Therefore, the final rulemaking is corrected to amend § 911 to read as follows (the corrections to the final rulemaking are made below (additions are shown in **bold and underline** text; deletions are shown in ~~**bold and strikethrough**~~ text)):

I. Amendments to Subtitle K, SPECIAL PURPOSE ZONES

Section 911, USE PERMISSIONS (WR), of Chapter 9, WALTER REED ZONES – WR-1 THROUGH WR-8, of Subtitle K, SPECIAL PURPOSE ZONES, is amended by removing a redundant paragraph (m) in § 911.1; and by correcting the zone references in §§ 911.3 through 911.5, to read as follows:

911.1 The uses in this section shall be permitted as a matter of right in the WR-1 zone, subject to any applicable conditions:

(a) Agriculture ...¹

...

¹ The uses of this and other ellipses indicate that other provisions exist in the subsection being amended and that the omission of the provisions does not signify an intent to repeal.

- (l) Retail subject to the conditions of Subtitle K § 912.10;
- ~~(m) Retail subject to the conditions of Subtitle K § 912.10;~~
- ~~(n) (m)~~ Short-Term Rental as accessory use to a principal residential use;
- ~~(o) (n)~~ Transportation infrastructure; and
- ~~(p) (o)~~ Utilities, basic.

...

911.3 The uses in this section shall be permitted as a matter of right in the ~~WR-7~~ WR-6 zone, subject to any applicable conditions:

- (a) Agriculture ...
- ...
- (h) Retail; **and**
- ~~(i) Short-Term Rental as an accessory use to a principal residential use;~~
and
- ~~(j) (i)~~ Transportation infrastructure.

911.4 The uses in this section shall be permitted as a matter of right in the WR-7 zone, subject to any applicable conditions:

- (a) Agriculture ...
- ...
- (q) Residential;
- (r) Retail subject to the conditions of Subtitle K § 912.10; **and**
- (s) Short-Term Rental as an accessory use to a principal residential use;
and
- ~~(s) (t)~~ Transportation infrastructure.

911.5 The uses in this section shall be permitted as a matter of right in the ~~WR-6~~ WR-8 zone, subject to any applicable conditions:

(a) Agriculture ...

...

These corrections by this Errata Notice to the Notice of Final Rulemaking is non-substantive in nature and does not alter the intent, application, or purpose of the proposed rules. The rules are effective upon the original publication date of the Notice of Final Rulemaking of February 14, 2020.

Any questions or comments regarding this notice shall be addressed by mail to Victor L. Reid, Esq. Administrator, Office of Documents & Administrative Issuances, 441 4th Street, N.W., Suite 520S, Washington, D.C. 20001, email at victor.reid@dc.gov, or via telephone at (202) 727-5090.