ENROLLED ORIGINAL

Codification District of Columbia Code 2000 Supp.

~~AN ACT~~

D.C. ACT 13-253

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the District of Columbia Comprehensive Plan Act of 1984 Land Use Element Amendment Act of 1984 to exempt from zoning the use of the parking areas of the public school at 1819 35th Street, N.W., as a flea market on Sundays.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Comprehensive Plan Land Use Georgetown Flea Market Exemption Emergency Amendment Act of 1999".

Sec. 2. Section 7(a) of the District of Columbia Comprehensive Plan Act of 1984 Land Use Element Amendment Act of 1984, effective May 23, 1990 (D.C. Law 8-129; D.C. Code § 1-250(a)), is amended as follows: Note, § 1-250

(a) Paragraph (1) is amended by striking the phrase "and (4)" and inserting the phrase "(4), and (5)" in its place.

(b) A new paragraph (5) is added to read as follows:

"The use of parking areas of the public school on Lot 850 in Square 1297, which is located at 1819 35th Street, N.W., as a flea market on Sundays shall not be subject to zoning.".

Sec. 3. Fiscal impact statement.

This legislation will have a positive fiscal impact. The legislation limits the zoning exemption to only the parking areas on Sundays and does not include the school building or field. Currently, the flea market vendors pay more than $21,000 per year in lease payments to the District of Columbia Public Schools. Sales tax revenue averages between $20,000 to $30,000 per year. These revenues would be lost if the flea market were closed. In addition, 1/3 of the vendors live in the District and pay tax on income generated by sales at the flea market.

Sec. 4. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto) and approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code §47-392.3(a)), and shall remain in effect for no longer

BZA
Case No. 16542
Exhibit No. 28
Board of Zoning Adjustment
District of Columbia
CASE NO.16542
EXHIBIT NO.28

than 90 days, as provided for in emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code §1-233(c)(1)).

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED: January 10, 2000

COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD THIRTEEN

RECORD OF OFFICIAL COUNCIL VOTE

Docket No. B13-537

[ ] ITEM ON CONSENT CALENDAR

[X] ACTION & DATE ADOPTED FINAL READING, 12-21-99

[X] VOICE VOTE APPROVED

RECORDED VOTE ON REQUEST ORANGE

ABSENT

[ ] ROLL CALL VOTE - Result ( )

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Orange				
Allen					Evans					Patterson				
Ambrose					Graham					Schwartz				
Brazil					Jarvis									
Catania					Mendelson									

X - Indicates Vote AB - Absent NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

December 22, 1999
Date

[ ] ITEM ON CONSENT CALENDAR

[ ] ACTION & DATE

[ ] VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

[ ] ROLL CALL VOTE - Result ( )

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Orange				
Allen					Evans					Patterson				
Ambrose					Graham					Schwartz				
Brazil					Jarvis									
Catania					Mendelson									

X-indicates no AB-Absent NV-Present not voting

CERTIFICATION RECORD

Secretary to the Council

Date

[ ] ITEM ON CONSENT CALENDAR

[ ] ACTION & DATE

[ ] VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

[ ] ROLL CALL VOTE - Result ( )

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Orange				
Allen					Evans					Patterson				
Ambrose					Graham					Schwartz				
Brazil					Jarvis									
Catania					Mendelson									

X - Indicates Vote AB - Absent NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date