ZONING COMMISSION
District of Columbia
Case 02-15
Exhibit 40

D.C. ZONING COMMISSION
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ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Monday, July 1, 2002 @ 6:30 P.M.**
Office of Zoning Hearing Room
441 4th Street, N.W. - Suite 220
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Case No. 02-15 (Text Amendment – Providing Matter-of-Right Use in the R-1 Zone District for Public Park and Recreational Uses -- 11 DCMR)

THIS CASE IS OF INTEREST TO ALL ANCs:

On February 1, 2002, the Office of Zoning received a petition from the Office of Planning requesting text amendments to Title 11 of the District of Columbia Municipal Regulations, Zoning, to permit public recreation and community centers as a matter-of-right use in the R-1 Zone.

The proposed amendments are as follows (new language is indicated in **BOLD** and deletions are shown in **strikeout**):

A. Amend Chapter 2, R-1 RESIDENCE DISTRICT USE REGULATIONS, section 201, USES AS A MATTER OF RIGHT (R-1), subsection 201.1, paragraph (k) to read as follows:

(k) Public school, **PARKS AND PLAYGROUNDS, PUBLIC RECREATION FACILITIES AND PUBLIC COMMUNITY CENTERS,** subject to the provisions of chapter 21 of this title;

B. Amend Chapter 4, RESIDENCE DISTRICT: HEIGHT, AREA, AND DENSITY REGULATIONS, as follows:

1) Amend section 400, HEIGHT OF BUILDINGS OR STRUCTURES (R), by adding a new subsection 400.14 to read as follows:

400.14 A PUBLIC RECREATION FACILITY OR PUBLIC COMMUNITY CENTER IN ANY RESIDENTIAL ZONE MAY BE ERECTED TO A HEIGHT NOT EXCEEDING FORTY FEET (40 FT.).

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2) Amend section 402, FLOOR AREA RATIO (R), subsections 402.1 through 402.3, to read as follows:

402.1 In an R-l and R-2 District, the maximum floor area ratio requirements applicable in each district may be increased for specific public school buildings or structures, **OR PUBLIC RECREATION FACILITIES, OR PUBLIC COMMUNITY CENTERS**; Provided, the total gross floor area of all buildings and structures on the campus shall not exceed a floor area ratio of nine-tenths (0.9); **AND PROVIDED FURTHER, THAT ANY PUBLIC RECREATION FACILITY OR PUBLIC COMMUNITY CENTER THAT EXISTED PRIOR TO JANUARY 1, 2002, MAY BE EXPANDED TO HAVE A FLOOR AREA AS PRESCRIBED FOR THE R-5-B DISTRICT.**

402.2 In an R-3, R-4, R-5-A, and R-5-B District, the maximum floor area ratio requirements applicable to each district may be increased for specific public school buildings or structures, **PUBLIC RECREATION FACILITIES, OR PUBLIC COMMUNITY CENTERS,** but shall not exceed the floor area ratio prescribed for the R-5-B District.

402.3 In all other residential districts not provided for in §§ 402.1 and 402.2, increases in the floor area ratio of **all ANY** public school buildings and structures, **PUBLIC RECREATION FACILITIES, OR PUBLIC COMMUNITY CENTERS** shall not exceed the floor area ratio prescribed for the R-5-C District.

3) Amend section 403, PERCENTAGE OF LOT OCCUPANCY (R), as follows:

a) Amend subsection 403.1 to read as follows:

403.1 A public school building, **PUBLIC RECREATION FACILITY, OR PUBLIC COMMUNITY CENTER** may occupy the lot upon which it is located in excess of the permitted percentage of lot occupancy prescribed in §403.2; Provided, that the portion of the building excluding closed courts exceeding the permitted lot coverage shall not exceed twenty feet (20 ft.) in height or two (2) stories; and Provided further, that direct pedestrian access not less than ten feet (10 ft.) in width from at least two (2) public right-of-ways shall be provided to each roof area used for these purposes. The roof area shall be used only for open space, recreation areas, or other athletic and field equipment areas in lieu of similarly used space normally located at ground level.

b) Amend the table in subsection 403.2 to permit **PUBLIC RECREATION FACILITIES AND PUBLIC COMMUNITY CENTERS** to have a permitted lot occupancy of sixty percent (60%).

4) Amend section 404, REAR YARDS, subsection 404.3 to read as follows:

404.3 In the case of a lot proposed to be used by a public school, **PUBLIC RECREATION FACILITY, OR PUBLIC COMMUNITY CENTER** which abuts or adjoins along the rear lot line a public open space, recreation area, or reservation, the required rear yard may be reduced or omitted.

5) Amend section 405, SIDE YARDS (R), subsection 405.7 to read as follows:

405.7 In the case of a lot located in an R-1 or R-2 District proposed to be used by a public school, **PUBLIC RECREATION FACILITY, OR PUBLIC COMMUNITY CENTER** that abuts or adjoins on one (1) or more side lot lines a public open space, recreation area, or reservation, the required side yard may be reduced or omitted.

Proposed amendments to the Zoning Regulations and Map of the District of Columbia are authorized pursuant to the Zoning Act of June 20, 1938, (52 Stat. 797), as amended, and § 5-413 *et seq.*, D.C. Code, (1994 Repl.).

The public hearing on this case will be conducted in accordance with the provisions of section 3021 of the District of Columbia Municipal Regulations, Title 11, Zoning. Pursuant to that section, the Commission will impose time limits on testimony presented to it at the public hearing.

All individuals, organizations, or associations wishing to testify in this case should file their intention to testify in writing. Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusion in the record.

Information should be forwarded to the Secretary of the Zoning Commission, Office of Zoning, Suite 210, 441 4th Street, N.W., Washington, D.C., 20001. Please include the number of this particular case and your daytime telephone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

CAROL J. MITTEN, ANTHONY J. HOOD, JOHN G. PARSONS, JAMES H. HANNAHAM, AND PETER G. MAY---------- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY ALBERTO P. BASTIDA, AICP, SECRETARY TO THE ZONING COMMISSION.