Government of the District of Columbia
OFFICE OF ZONING

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MEMORANDUM

2003 SEP -2 PM 4:20
OFFICE OF DOCUMENTS
ADMINISTRATIVE ISSUANCES

TO: Arnold R. Finlayson, Administrator
Office of Documents and Administrative Issuance

FROM: Alberto P. Bastida, AICP
Secretary to the Zoning Commission

DATE: August 27, 2003

SUBJECT: Publication for the Office of Zoning

Please publish the following in the *D.C. Register* on September 5, 2003:

1. Z.C. Case No. 03-10 Notice of Proposed Rulemaking.

Linda Jenkins
Received By

8/27/03
Date

Attachments

ZONING COMMISSION
District of Columbia
Case 03-10
Exhibit 21

441 4th Street, N.W., Suite 210-S, Washington, D.C. 20001
Tel: (202) 727-6311 • Fax: (202) 727-6072
E-Mail: zoninginfo@dcoz.dcgov.org • Web Site: http://dcoz.dcgov.org/

ZONING COMMISSION
District of Columbia
CASE NO.03-10
EXHIBIT NO.21

OFFICE OF DOCUMENTS AND ADMIN. ISSUANCES

03 AUG 27 PM 4:20

RULEMAKING TRANSMITTAL FORM

TYPE OF RULEMAKING ACTION: [ ] EMERGENCY RULES [ ] FINAL RULES [x] PROPOSED RULES [ ] COMBINED

DATE AND TIME RECEIVED
Office of Documents use only

AGENCY: OFFICE OF ZONING

AGENCY REPRESENTATIVE: ALBERTO BASTIDA

ADDRESS: 441 4th Street, N.W., Suite 210 South

TELEPHONE: 727-0330

TITLE AND DESCRIPTION OF RULES: Amendment to the Zoning Regulations of the District of Columbia, ZC Case No. 03-10 (Public Libraries).

If this rulemaking action will amend or repeal existing rules, give a complete citation to the rules being amended or repealed: definitions, subsection 199.1, §§ 201, 601, 901, 2101, 2104,

FINAL RULES ONLY: Give the D.C. REGISTER citation and date of publication of the Notice of Proposed Rulemaking for these rules: DATE:

COMPLETE CITATION to the statute, regulation, or other legal authority which specifically authorizes the issuance of the substance of these rules: section 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, 799; D.C. Code 2001 Ed. § 6-641.01 (formerly codified at D.C. Code § 5-413 (1994 Repl.)).

LEGAL CERTIFICATION: I certify that I have reviewed the attached rulemaking and, in my opinion, the substance of the text of the rules is legally sufficient.

DATE: 8-27-03 SIGNED: [signature] PHONE: (202) 442-9777

✓	FINAL		CONDITIONAL	NAME:	ROBERT SPAGNOLETTI	TITLE: CORPORATION COUNSEL

PROMULGATOR: Name and title of the person legally authorized to adopt and promulgate these rules (or the name of the board or other body authorized to adopt rules by vote)
Zoning Commission For The District Of Columbia Title:

COMPLETE CITATION to the statute, regulation, order, or other legal authority that specifically authorizes the issuance of the substance of these rules: Section 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, 799; D.C. Code 2001 Ed. § 6-641.01 (formerly codified at D.C. Code § 5-413 (1994 Repl.)

SIGNATURE OF THE PERSON AUTHORIZED TO ADOPT RULES OR ATTEST TO THE ADOPTION OF RULES

DATE OF APPROVAL OF VOTE: 9/31/03

APPROVAL OF ATTEST: [signature]

TITLE: Secretary to the Zoning Commission PHONE: (202) 727-0330

Office of Documents use only: THIS NOTICE PUBLISHED AT: VOL: DCR: DATE:

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PROPOSED RULEMAKING
Case No. 03-10
(Text Amendment – Public Libraries -- 11 DCMR)

The Zoning Commission for the District of Columbia, pursuant to the authority set forth in § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, 799; D.C. Official Code § 6-641.01), hereby gives notice of the intent to adopt an amendment to the Zoning Regulations (11 DCMR) that will add three types of public library uses to the Zoning Regulations. Final rulemaking action shall be taken in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Title 11, DCMR, is amended as follows (added language in bold and underlined)

A. Section 199, DEFINITIONS, is amended to include the following definition:

Library, Full Service Neighborhood Public - A District of Columbia Public Library housed in a permanent structure, which may include meeting rooms, staff work rooms, kitchen facilities and book overflow space. It contains space for a variety of activities to take place simultaneously, such as children's story hour, film showing, and book talks.

Library, Community Public – A District of Columbia Public Library housed in a building and including a small staff area and minimal space for activities. There is a small selection of books that includes a large ratio of paperbacks. The facility is not suitable for more than basic research and staffed by two full-time equivalent employees.

Library, Kiosk Public – A District of Columbia Public Library housed in a building with no space for activities.

B. Chapter 2, section 201, USES AS A MATTER OF RIGHT (R-1), subsection 201.1 is amended by adding paragraph (r) to read as follows:

(r) Full service neighborhood public library, community public library, kiosk public library.

C. Chapter 6, section 601, USES AS A MATTER OF RIGHT (CR), subsection 601.1 is amended by adding a new paragraph (u) to read as follows:

(u) Full service neighborhood public library, community public library, kiosk public library.

D. Chapter 9, Section 901, USES AS A MATTER OF RIGHT (W), subsection 901.1 is amended by adding a new paragraph (v) to read as follows:

(v) Full service neighborhood public library, community public library, kiosk public library.

E. Chapter 21, OFF-STREET PARKING REQUIREMENTS, is amended as follows:

a) Section 2101, SCHEDULE OF REQUIREMENTS FOR PARKING SPACES, Subsection 2101.1 is amended by adding the following uses to the schedule of parking requirements:

USES	NUBMER OF SPACES REQUIRED
PLACES OF PUBLIC ASSEMBLY (EXCEPT HOTELS)	
Public Library	
Full Service Neighborhood Public Library	
All residential districts	**For libraries constructed [AFTER THE EFFECTIVE DATE OF THIS AMENDMENT] and in excess of 2,000 square feet of floor area, 1 space for each additional 1,000 square feet of gross floor area.**
All other districts	**For libraries constructed [AFTER THE EFFECTIVE DATE OF THIS AMENDMENT] and in excess of 3,000 square feet of floor area, 1 space for each additional 1,000 square feet of gross floor area.**
Community Public Library	
All districts	**For libraries constructed [AFTER THE EFFECTIVE DATE OF THIS AMENDMENT] In excess of 2,000 square feet of floor area, 1 space for each additional 1,000 square feet of gross floor area.**
Kiosk Public Library	
All districts	**None**

b) Section 2104, EXCEPTIONS TO THE SCHEDULE OF REQUIREMENTS: NONRESIDENTIAL STRUCTURES NEAR METRORAIL STATIONS, is amended to read as follows:

2104.1 **Except as provided in § 2104.2, the Board of Zoning Adjustment is authorized to reduce** ~~T~~the number of parking spaces required under § 2101.1 for a nonresidential building or structure located within a radius of eight hundred feet (800 ft.) of a Metrorail station entrance may be reduced by up to twenty-five percent (25%); provided:

(a) The building or structure is located in a nonresidential district and is at least eight hundred feet (800 ft.) from any R-1, R-2, R-3, or R-4 District; and

(b) The Metrorail station is currently in operation or is one for which a construction contract has been awarded.

2104.2 The Board of Zoning Adjustment is authorized to reduce the number of parking spaces for a public library located within a one-half mile radius of a Metrorail station by fifty percent (50%) if the Metrorail station is currently in operation or is one for which a construction contract has been awarded.

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments, in writing, to Alberto Bastida, Office of Zoning, 441 4th Street, N.W., Washington D.C. 20001. Comments must be received not later than thirty (30) days after the publication of this notice in the D.C. Register. A copy of this proposal may be obtained, at cost, by writing to the above address.