

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



Z.C. CASE NO.: 03-10A

As Secretary to the Zoning Commission, I hereby certify that on **MAY 21 2009** copies of this Z.C. Notice of Final Rulemaking and Order No. 03-10A were mailed first class, postage prepaid or sent by inter-office government mail to the following:

- | | |
|--|---|
| 1. <i>D.C. Register</i> | 5. All Councilmembers |
| 2. Zoning Administrator | 6. DDOT (Karina Ricks) |
| 3. All ANC Chairpersons (see attached list) | 7. General Counsel - DCRA
941 North Capitol Street, N.E.
Suite 9400
Washington, D.C. 20002 |
| 4. Gottlieb Simon
ANC
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004 | 8. Office of the Attorney General (Alan Bergstein) |

ATTESTED BY:


Sharon S. Schellin
Secretary to the Zoning Commission

ZONING COMMISSION
District of Columbia
CASE NO. **03-10A**
EXHIBIT NO. **16**

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING

and

Z.C. ORDER NO. 03-10A

Z.C. Case No. 03-10A

(Text Amendment – 11 DCMR)

(Technical Correction to Zoning Commission Order No. 03-10)

January 26, 2009

The Zoning Commission for the District of Columbia (the "Commission"), pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, as amended; D.C. Official Code § 6-641.01 (2001 ed.)), and 11 DCMR § 3030 (Consent Calendar), hereby gives notice of the adoption of the following text amendments to Chapter 21 (Off-Street Parking Requirements), § 2104.1 (Exceptions to the Schedule of Requirements: Nonresidential Structures near Metrorail Stations).

Because this action is technical in nature, no public hearing is required, pursuant to the Consent Calendar provisions set forth in 11 DCMR § 3030 and, for that same reason no referral to was required. No changes were made to the text amendments as published in a notice of proposed rulemaking in the *D.C. Register* ("DCR") on December 26, 2008, at 55 DCR 12964. No comments were received in response to the notice of proposed rulemaking. The Commission took final action to adopt the amendments at a public meeting on January 26, 2009. The final rulemaking is effective upon publication of this notice in the *D.C. Register*.

Title 11 DCMR (Zoning), Chapter 21, OFF-STREET PARKING REQUIREMENTS, § 2104, EXCEPTIONS TO THE SCHEDULE OF REQUIREMENTS: NONRESIDENTIAL STRUCTURES NEAR METRORAIL STATIONS, § 2104.1, is hereby amended to read as follows (new language shown in **bold underlined** text and deleted wording is shown in ~~strikethrough~~ lettering):

- 2104.1 Except as ~~otherwise~~ provided in § 2104.2, ~~the Board of Zoning Adjustment is authorized to reduce~~ 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%)~~ **shall be seventy-five percent (75%) of the amount otherwise ordinarily required under § 2101.1 if the building is located within a radius of eight hundred feet (800 ft.) of a Metrorail station entrance and** provided:

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The full text of this Zoning Commission Order is published in the "Final Rulemaking" section of this edition of the *D.C. Register*.