

GOVERNMENT OF THE DISTRICT OF COLUMBIA

OFFICE OF ZONING

441 4th STREET, N.W. SUITE 200-S/210-S

WASHINGTON, D.C. 20001

OFFICIAL BUSINESS
PENALTY FOR MISUSE

ANK
1910 CT

Pride Hiatt, Chair
ANC 7A
4201 D Street, SE
Washington, D.C. 20019

Return
5/28/09



UNITED STATES POSTAGE
02 1M
0004232966
MAY 22 2009
\$ 00.44⁰
MAILED FROM ZIP CODE 20001

W
2

NIXIE

4518 1

24 05/28/09

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD
RETURN TO SENDER

✓

20019

ZONING COMMISSION
District of Columbia
CASE NO.03-10A
EXHIBIT NO.17

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:

ZONING COMMISSION
District of Columbia

CASE NO.

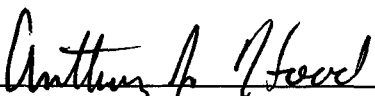
EXHIBIT NO.

- (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.

On November 20, 2008, upon motion of Chairman Hood, as seconded by Commissioner Turnbull, the Zoning Commission **APPROVED** the petition at its public by a vote of **4-0-1** (Anthony J. Hood, Gregory N. Jeffries, Peter G. May, and Michael G. Turnbull to approve; third Mayoral appointee position vacant, not voting).

On January 26, 2009, upon motion of Chairman Hood, as seconded by Commissioner Turnbull, the Zoning Commission **ADOPTED** the Order at its public meeting by a vote of **4-0-1** (Anthony J. Hood, Gregory N. Jeffries, Peter G. May, and Michael G. Turnbull to adopt; third Mayoral appointee position vacant at the time of the initiation of the case, not voting).

In accordance with the provisions of 11 DCMR § 3028.9, this Order shall become effective upon publication in *the D.C. Register*; that is, on May 15, 2009.



ANTHONY J. HOOD
CHAIRMAN
ZONING COMMISSION



RICHARD S. NERO, JR.
ACTING DIRECTOR
OFFICE OF ZONING

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

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



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

MAY 21 2009

As Secretary to the Zoning Commission, I hereby certify that on _____ 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