

Government of the District of Columbia
OFFICE OF ZONING



MEMORANDUM

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

FROM: Sharon S. Schellin *SS*
Acting Secretary to the Zoning Commission

DATE: February 8, 2006

SUBJECT: Publication for the Office of Zoning

Please publish the following in the *D C Register* on February 17, 2006

1. Z.C. Notice of Filing (Case No. 06-02);
2. Z.C. Notice of Public Hearing (Case No. 06-03),
3. Z.C. Notice of Proposed Rulemaking (Case No. 04-18); and
4. Z.C. Revised Notice of Proposed Rulemaking (Case No. 02-06).

Attachments

2006 FEB - 8 PM 4:33
DO, U, F, I, L, I, N, G
A, D, M, I, N, I, S, T, R, A, T, I, V, E
I, S, S, U, A, N, C, E, S

RULEMAKING TRANSMITTAL FORM

TYPE OF RULEMAKING ACTION: ☐ EMERGENCY RULES
☐ FINAL RULES ☒ PROPOSED RULES ☐ COMBINED

DATE AND TIME RECEIVED

Office of Documents use only

AGENCY: OFFICE OF ZONING

AGENCY REPRESENTATIVE: SHARON SCHELLIN

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

TELEPHONE (202) 727-0240

TITLE AND DESCRIPTION OF RULES ZC CASE NO 04-18 (Map and Text Amendment – Mount Vernon District within the DD Overlay)

If this rulemaking action will amend or repeal existing rules, give a complete citation to the rules being amended or repealed

FINAL RULES ONLY Give the D.C REGISTER citation and date of publication of the Notice of Proposed Rulemaking for these rules. DCR 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 Official Code § 6-641 01)

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 FEBRUARY 3, 2006

SIGNED

Robert J. Spagnoletti

PHONE (202) 442-9777

☒ FINAL ☐ CONDITIONAL NAME: ROBERT J. SPAGNOLETTI TITLE ATTORNEY GENERAL

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 this person or agency to adopt and promulgate these rules

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

DATE OF APPROVAL OF VOTE

10/17/05

APPROVAL OF ATTEST

Sharon J. Schellin

Acting Secretary to the Zoning

TITLE

Commission

PHONE

(202) 727-0240

Office of Documents use only

THIS NOTICE PUBLISHED AT

VOL

DCR

DATE

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PROPOSED RULEMAKING
ZC CASE NO. 04-18
(Map and Text Amendment – Mount Vernon District within the DD Overlay)

The Zoning Commission for the District of Columbia, pursuant to its authority under §§ 1 and 8 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, as amended; D.C. Official Code §§ 6-641.01 and 6-641.07 (2001)), hereby gives notice of its intent to amend Chapter 17 of the Zoning Regulations (Title 11 DCMR) to establish a new sub-area within the DD Overlay, to be known as the Mount Vernon Triangle District. The District consists of those portions of Squares 451, 483, 484, 484W, 515 and 516 that are within seventy-two feet (72 feet) of the rights of way on each side of K Street or 5th Street, Northwest, as shown on Attachment 1 to the Office of Planning Report dated July 9, 2004. Because Square 483 is not presently mapped in the DD Overlay, and the adjacent Squares are, the Zoning Commission proposes to amend the Zoning Map to rezone 483 from C-3-C to DD/C-3-C.

Proposed § 1732 divides the Mount Vernon District into three areas for the purpose of identifying the specific types of uses that may be allowed on the ground floors of buildings within each area. Because of concerns that it might be initially difficult to attract several of these uses, the Commission originally advertised provisions that permitted other uses on an interim basis. However, the trigger mechanism for terminating such uses proved to be cumbersome. At proposed action, the Commission decided to defer, until final action, the questions of whether interim uses should be permitted, if so, should the uses be permitted by right or by special exception, if the latter, what standards should be used to decide whether to grant an application, and, finally, how long should such uses be permitted.

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.

A. The Zoning Map of the District of Columbia, as incorporated by reference in 11 DCMR § 106, is amended by rezoning Square 483 from C-3-C to DD/C-3-C.

B. Title 11 DCMR (Zoning) is proposed to be amended as follows:

1720 MOUNT VERNON TRIANGLE DISTRICT: OBJECTIVES AND BOUNDARIES (DD/MVT)

1720.1 The principal objectives for the Mount Vernon Triangle District (MVT District) are to:

- (a) Promote the development of ground floor level street frontages that will be active and pedestrian-friendly, particularly along the sections of K and 5th Streets, Northwest that are within the MVT District boundaries, as defined in §1720.2.

- (b) Promote a lively, mixed-use and high density Mount Vernon Triangle neighborhood with neighborhood amenities and retail development that serves the MVT as well as nearby neighborhoods, the Convention Center, and the downtown.

1720.2 The provisions of the MVT District, as stated in §§ 1720 through 1734, apply to Squares 451, 483, 484, 484W, 515 and 516.

1720.3 Any reference in the provisions of the MVT District to the Mount Vernon Triangle Area shall mean the area comprising squares 451, 483, 484, 484W, 515, 515N, 516, 516S, 525, 526, 527, 528, 556, 558, 560, 561, 562, 563, and 563S.

1720.4 All street locations in the MVT District are in Northwest Washington and therefore all future reference to these streets will omit the identification of the Northwest quadrant.

1720.5 All provisions of this Chapter shall apply unless otherwise noted.

1720.6 Unless specifically exempted, the requirement of the MVT District shall apply to all new buildings and to all other buildings where any additions, alterations, or repairs within any twelve-month (12) period exceed one hundred percent (100%) of the assessed value of the building as set forth in the records of the Office of Tax and Revenue as of the date of the building permit application; provided:

- (a) The cost basis for alterations or additions to an existing building shall be the amount indicated by the applicant on the application for a building permit;
- (b) The assessed value of the building shall be the value set forth in records of the Office of Tax and Revenue as of the date of the building permit application; and
- (c) In the case of an addition, the requirements and incentives of this chapter apply only to the addition.

1721 OFFICE OF PLANNING REVIEW (DD/MVT)

1721.1 The provisions of § 1700.6 shall apply only to building permits for new construction within the MVT District or for additions, alterations, or repairs that would first subject a building to the provisions of the MVT District pursuant to § 1720.6.

1721.2 The Zoning Administrator shall take no action on the building permit application for seventy-five (75) days from the date of filing, or for fifteen (15) days after receipt of the Office of Planning report, whichever time period is less.

1722 STREETWALL DESIGN REQUIREMENTS (DD/MVT)

1722.1 Except for a building located in the Principal Intersection Area, as described in § 1723.1, a building located in Square 515 Lot 158 for which a building permit has been received within 9 months prior to or after [the effective date of this section], or any portions of a building that existed on the [effective date of this section] that is subsequently designated a historic landmark or is included within a historic district, this section together with § 1701.3, shall apply to each building with frontage on:

- (a) K Street in Squares 451, 483, 484, 484W, 515 or 516;
- (b) 5th Street in Squares 483, 484, 515 or 516;
- (c) 6th Street in Squares 484 or 484W if that frontage is within thirty-six feet (36 ft.) of the right-of way of K Street; and
- (d) 4th Street in Square 515 or 516 if that frontage is within thirty-six feet (36 ft.) of the right-of way of K Street.

1722.2 Each building on a lot that fronts on a pedestrian street shall devote not less than fifty percent (50%) of the surface area of the streetwall(s) at the ground level of each building to display windows with clear or clear/low-emissivity glass, except for decorative or architectural accent, and to entrances to commercial uses or to the building.

1722.3 Each building on a lot that fronts on a pedestrian street shall devote not less than percent (50%) of the surface area of the streetwall between twelve feet (12 feet) and fourteen feet (14 feet) above grade to clear or clear/low-emissivity glass.

1722.4 Each building shall be designed so as not to preclude an entrance every forty feet (40 ft.) on average for the linear frontage of the building; excluding vehicular entrances, but including entrance to ground floor uses and any main lobby.

1722.5 The ground floor level of each new building or building addition shall have a minimum clear floor-to-ceiling height of fourteen feet (14 ft.) for a distance of at least thirty-six feet (36 ft.) perpendicular to the ground floor's front building line.

1723 PRINCIPAL INTERSECTION AREA (PIA): LOCATIONS INCLUDED (DD/MVT)

1723.1 With the exception of a building located in Square 515 Lot 158 for which a building permit has been received within 9 months prior to or after [the effective date of this section], or any portion of a building that existed on the effective date of this section] that is subsequently designated a historic landmark or is included

within a historic district, the provisions of §§ 1723 through 1727 shall apply to those portions of buildings in Squares 483, 484, 515 or 516 that:

- (a) Front on K Street or 5th Street; and
- (b) Fall within any of four (4) seventy-two foot square (72 foot by 72 foot) areas as measured from the point of tangency of the rights of way lines of K Street and 5th Street in the relevant quadrant described by the intersection of these streets.

1723.2 The area described in 1723.1 shall hereafter be referred to as the Principal Intersection Area (PIA).

1723.3 As illustrated in the following table, each of the four corners within the PIA has four (4) thirty-six foot by thirty-six foot (36 foot by 36 foot) modules.

Square 483	Square 483		5th Street	Square 515		Square 515
	<u>D</u>	<u>B</u>		<u>B</u>	<u>D</u>	
	<u>C</u>	<u>A</u> (NW)		<u>A</u> (NE)	<u>C</u>	
K Street			Intersection 5 th & K Streets	K Street		
Square 484	C	A (SW)	5th Street	(SE) A	<u>C</u>	Square 516
	<u>D</u>	<u>B</u>		<u>B</u>	<u>D</u>	
	Square 484			Square 516		

1723.4 In the table, “K Street” defines the east and west directions; “5th Street” defines the north and south directions. The northwest corner is Square 483; the northeast corner is Square 515; the southwest corner is Square 484; the southeast corner is Square 516.

1723.5 At each corner there are four modules labeled A, B, C and D. Each block in the chart labeled A, B, C, or D represents a 36-foot by 36-foot area within the respective 72-foot by 72-foot PIA corner.

1723.6 The "A" modules are the thirty-six foot by thirty-six foot squares nearest to the intersections. The "B" modules are the thirty-six by thirty-six foot squares fronting on 5th Street, that are between thirty-six and seventy two feet north and south of K Street. The "C" modules are the thirty-six foot by thirty-six foot squares fronting on K Street that are between thirty-six and seventy two feet east and west of 5th Street. The "D" modules are the thirty-six foot by thirty-six foot interior squares that have frontage on neither K Street nor 5th Street.

1724 PIA: MAXIMUM BUILDING HEIGHT (DD/MVT)

1724.1 Except for buildings in Square 515, the portion of a building in an "A" module shall be no higher than fifty feet (50 feet) above grade.

1724.2 No more than fifty percent (50%) of the portions of a building in each of the "B" and "C" modules shall be more than fifty feet (50 feet) above grade.

1725 PIA: MINIMUM GROUND FLOOR HEIGHT (DD/MVT)

1725.1 The following minimum ground floor height requirements apply to each building located within the PIA:

Module height	Minimum clear floor-to-ceiling
A	22 Feet
B & C	22 Feet for at least 50% of its ground floor
D	14 Feet

1726 PIA: STREETWALL DESIGN (DD/MVT)

1726.1 Each building shall devote not less than sixty-five percent (65%) of the surface area of the streetwall(s) at the ground level, to a height of at least twenty-two feet (22 feet), to display windows with clear/low-emissivity glass, except for decorative or architectural accent and entrances to commercial uses or to the building.

1726.2 Each building shall devote not less than sixty-five percent (65%) of the surface area of the streetwall between eighteen feet (18 feet) and twenty-two feet (22 feet) above grade to clear/low-emissivity glass.

1727 PIA: MISCELANEOUS PROVISIONS (DD/MVT)

1727.1 There shall be no direct entrances to lobbies serving residential or office uses.

1727.2 Roof terraces, whether open to the sky or covered with awnings or canopies, that are atop the "A", "B" or "C" portions of a building, as defined in § 1723, shall not be included in the maximum floor area ratio calculations as set forth in § 771.2.

1728 REDUCTION OF REAR YARDS AND SIDE YARDS OF BUILDINGS ABUTTING ALLEYS (DD/MVT)

1728.1 In the event that the Council of the District of Columbia accepts a dedication for public alley purposes of land within DD/MVT that would have been required to be a rear yard pursuant to § 774.7, and the land dedicated is adjacent to a public alley and extends the entire length of the lot, the rear yard requirements for the portion of the structure above the horizontal plane described in § 774.7(a) shall be reduced by five feet (5 ft.) for every ten-foot (10 ft.) depth of land dedicated.

1728.2 For the purposes of § 1728.1, the depth of the land dedicated shall be measured perpendicular to the alignment of the adjacent public alley.

1728.3 In the event that the Council of the District of Columbia accepts a dedication for public alley purposes of land within DD/MVT that would have been required to be a side yard pursuant to §§ 775.4 and 775.5, and the land dedicated is at least eight (8) feet deep, is adjacent to a public alley, and extends the entire length of the lot, the side yard requirement shall be eliminated for that portion of the structure below a horizontal plane twenty (20) feet above the mean finished grade at the middle of the side of the structure.

1729 GROUND FLOOR PARKING AND LOADING PROVISIONS (DD/MVT)

1729.1 Where a court is provided in accordance with § 776, and the surface of the court begins at or between the first floor and second floor above the ground floor, the gross floor area beneath the surface of the court shall not be included when calculating the floor area ratio of the building, provided:

(a) The area immediately beneath the court provides:

(i) Vehicular access from a public or private alley for the purposes of providing loading berths, loading platforms, or service/delivery loading spaces required by § 2201.1;

(ii) Parking or access to parking required by § 2101.1; or

(iii) Parking permitted by § 1702.7(a) or (b); and

(b) At least sixty five percent (65%) of the court's surface is covered by vegetative material that reduces the rate of flow of stormwater run-off or contributes less to ambient heat build-up than a conventional roof.

1730 DRIVEWAYS ON PREFERRED USE STREET FRONTAGES. (DD/MVT)

1730.1 The provisions of this section govern the construction of driveways that:

- (a) Provide access from the adjacent public street to parking spaces or loading berths;
- (b) Serve delivery loading spaces on the subject lot; or
- (c) Serve parking spaces, loading berths, or service/delivery loading spaces not required by the Zoning Regulations.

1730.2 No driveway may be constructed on the north or south side of K Street between 5th Street and 7th Street.

1730.3 There shall be no more than one driveway constructed in the following areas:

- (a) The north side of K Street between 4th Street and 5th Street;
- (b) The south side of K Street between 4th Street and an alley [existing on the effective date of this section] located approximately three hundred fifty feet (350') west of 4th Street;
- (c) The east side of 5th Street between I Street and K Street; and
- (d) The east side of 5th Street between K Street and L Street.

1730.4 There shall be no more than two driveways constructed in the following areas:

- (a) The west side of 5th Street between I Street and K Street; and
- (b) The west side of 5th Street between K Street and L Street.

1730.5 Exceptions from the prohibitions and limitations of this section shall be permitted if granted by the Board of Zoning Adjustment under § 3104, provided the applicant demonstrates that:

- (a) There is no practical alternative means of serving the parking, loading or drop-off needs of the building to be served by the proposed driveway, such as signage approved by the District Department of Transportation

(DDOT) that would direct vehicles to an alternative entrance point within the same Square;

- (b) The driveway will not impede the flow of pedestrian traffic on the street frontages listed in §§ 1730.2 to 1730.4; and
- (c) The proposed driveway is not inconsistent with the DDOT landscape plans for the public rights of way in the Mount Vernon Triangle Area, to the extent that such plans exist at the time of the special exception application.

1731 DRIVEWAYS: OTHER STREET FRONTAGES (DD/MVT)

1731.1 The provisions of this section apply to street frontages in DD/MVT not listed in §1730.

1731.2 The provisions of this section apply to driveways that provide access from the adjacent public street to parking spaces or loading berths within a square, whether or not those spaces or berths are required by the Zoning Regulations.

1731.3 No more than one driveway may be constructed within the length of an individual building, unless the building extends the entire length of the block, in which case § 1731.4 shall apply.

1731.4 No more than two driveways may be constructed per block-face.

1731.5 Each driveway shall be separated by no less than sixty feet (60 feet), unless lesser distances between curb cuts are required by the District Department of Transportation (DDOT).

1731.6 Exceptions from the requirements of this section shall be permitted only if granted by the Board of Zoning Adjustment under § 3104, provided that the applicant demonstrates that:

- (a) There is no practical alternative means of serving the parking, loading or drop-off needs of the building to be served by the proposed driveway, such as signage approved by the District Department of Transportation (DDOT) that would direct vehicles to an alternative entrance point within the same Square;
- (b) The driveway will not impede the flow of pedestrian traffic on the street frontages listed in §§ 1730.2 through 1730.4; and
- (c) The proposed driveway is not inconsistent with the DDOT landscape plans for the public rights of way in the Mount Vernon Triangle Area, to the extent that such plans exist at the time of the special exception application.

1732 PERMITTED GROUND FLOOR USES (DD/MVT)

1732.1 For the purposes of identifying the location of permitted ground floor uses, the Mount Vernon Triangle District is divided into the following three Areas:

- (a) The Principal Intersection Area as defined in § 1723.1.
- (b) The Secondary Use Area, which comprises the areas with frontage along the portions of Square 515 and 516 between the centerpoint of 4th Street and the centerpoint of the public alley in Square 515 existing on [the effective date of this section] that is approximately three hundred sixty feet (360 feet) west of 4th Street.
- (c) The Primary Use Area, which comprises all areas not defined in § 1732.1 (a) or (b) with frontages along K Street in Squares 451, 483, 484, 484W, 515 or Square 516; or with frontages on 5th Street in Squares 483, 484, 515 or 516.

1732.2 The following uses may be established and continued on a permanent basis on the ground floor of any building located in the Primary or Secondary Use Area and, on an interim basis on the ground floor of any building located in the PIA [SEE BRACKETED TEXT IN 1733.1]:

- (a) Antique Store;
- (b) Artist Live-Work Space or Artist Studio, with Sales;
- (c) Apparel and Accessories Store;
- (d) Art Center;
- (e) Art Gallery;
- (f) Art School, including school of dance, photography, filmmaking, music, writing, painting, sculpturing, or printmaking;
- (g) Arts Services, including set design and restoration of artworks;
- (h) Assembly Hall, Auditorium, Public Hall or Other Performing Arts Space, including rehearsal/pre-production space or concert hall;
- (i) Auction House;
- (j) Bakery, limited to baking of food sold on premises;
- (k) Bicycle Shop;
- (l) Barber or Beauty Shop;
- (m) Blueprinting, Printing or Copy Service;
- (n) Book Store;
- (o) Cabaret;
- (p) Candy Store;
- (q) Clinic;
- (r) Computer Store;
- (s) Concert Hall or other Performing Arts Space;
- (t) Cosmetic Store;
- (u) Camera Store;
- (v) Craftsman or artisan studio, with sales;

- (w) Dance Hall, Discotheque, or Ballroom;
- (x) Department Store;
- (y) Dinner Theater;
- (z) Dressmaking or Tailor Shop;
- (aa) Drinking Place, including bar, nightclub or cocktail;
- (bb) Drug Store;
- (cc) Dry Cleaner;
- (dd) Fabric Store;
- (ee) Fast Food Restaurant, excluding drive-through;
- (ff) Film exchange;
- (gg) Florist and Plant Store;
- (hh) Furniture Store;
- (ii) Gift, Novelty, and Souvenir Shop;
- (jj) Grocery Store;
- (kk) Hardware Store;
- (ll) Health or Exercise Studio;
- (mm) Hobby, Toys and Game Shop;
- (nn) Home Furnishing Store;
- (oo) Home Supply and Decorating Store;
- (pp) Jewelry Store;
- (qq) Liquor Store (subject to a public hearing);
- (rr) Leather Goods and Luggage Store;
- (ss) Legitimate Theater;
- (tt) Library, Public;
- (uu) Lobbies for Apartment, Condominium or Other Residential Uses;
- (vv) Movie Theater;
- (ww) Museum;
- (xx) Musical Instruments and Accessories Sales;
- (yy) Newsstand;
- (zz) Office Supplies and Equipment Sales;
- (aaa) Optical Goods Store;
- (bbb) Paint Store;
- (ccc) Pet Store;
- (ddd) Picture Framing Studio or Shop;
- (eee) Printing, Fast Copy Service;
- (fff) Radio, Television, and Consumer Electronics Store;
- (ggg) Restaurant
- (hhh) Secondhand Store or Consignment Shop;
- (iii) Shoe Repair and Shoeshine Parlor;
- (jjj) Shoe Store;
- (kkk) Specialty Food Store;
- (lll) Sporting Goods Store;
- (mmm) Telegraph Office;
- (nnn) Television and Radio Broadcast Studio
- (ooo) Theater, including Motion Picture Theater
- (ppp) Tobacco Store;

- (qqq) Travel Agency, Ticket Office;
- (rrr) Variety Store;
- (sss) Video Tape Rental; and;
- (ttt) Other similar personal/consumer service establishment or retail use including assemblage and repair clearly incidental to the principal use.

1732.3 The following uses may be established and continued on a permanent basis on the ground floor of any building located in the Secondary Use Areas defined in §1732.1 and on an interim basis on the ground floor of any building located in the Primary or Principal Intersection Areas [SEE BRAKETED TEXT IN 1733.1]:

- (a) Accountant;
- (b) Apartment or Condominium Entered Directly From Street;
- (c) Architect;
- (d) Attorney;
- (e) Bail Bondsman;
- (f) Bank, Loan Office, or Financial Institution;
- (g) Counseling Service;
- (h) Consultant - General;
- (i) Dentist, Doctor, or Medical Office;
- (j) Employment Agency;
- (k) Escrow Agent;
- (l) Government;
- (m) General office uses:
- (n) Health Clinic;
- (o) Insurance Broker;
- (p) Laboratory;
- (q) Landscape Architect;
- (r) Mortgage Broker;
- (s) Public Agency Office;
- (t) Real Estate Agent, Appraiser, Broker, Developer;
- (u) Social Service Agency Office;
- (v) Stockbroker;
- (w) Tax Preparer;
- (x) Title Company;
- (y) Trust Company; and
- (z) Utility Company, Offices of.

1732.4 The following uses may be established and continued on a permanent basis on the ground floor of any building located in any of the three Areas defined in §1732.1:

- (a) Book Store including restaurant;
- (b) Cabaret;
- (c) Drinking Place, including bar, nightclub or cocktail lounge;
- (d) Restaurant; and

- (e) Other uses permitted on a permanent basis in the Principal Intersection Area, provided that within such uses there exists accessory Restaurant or Drinking Place uses, including, but not limited to, bar, nightclub or cocktail uses, that occupy at least fifty percent (50%) of the gross floor area of the permitted principal use(s) and at least 40% of the permitted principal use(s) linear frontage on the public right of way.

1733 INTERIM USES (DD/MVT)

- 1733.1 The interim uses specified in § 1732.2 may be permitted in the PIA, and the interim uses specified in Section 1732.3 may be permitted in the Primary Area or the PIA [THROUGH A MECHANISM TO BE DETERMINED BY THE ZONING COMMISSION AT FINAL ACTION. IN THE EVENT THAT THE ZONING COMMISSION DETERMINES NOT TO PERMIT INTERIM USES, THIS SECTION, AND THE REFERENCES TO INTERIM USES IN §§ 1732.2 AND 1733.3 WILL BE ELIMINATED FROM THE FINAL TEXT]

1734 GROUND FLOOR AREAS REQUIRED TO BE DEVOTED TO PREFERRED USES (DD/MVT)

- 1734.1 The provisions of this section apply to each building with frontage on K Street in Squares 451, 483, 484, 484W, 515 or 516; and to each building with frontage on 5th Street in Squares 483, 484, 515 or 516.
- 1734.2 Each building that faces or abuts a street segment identified in § 1732.1 shall devote not less than fifty percent (50%) of the gross floor area of the ground floor ("dedicated space") to uses listed in §§ 1732.2, 1732.3, or 1732.4), if permitted by those subsections at its location, except that the cumulative gross floor area of bank, loan office, financial institution or general office uses, shall occupy no more than thirty percent (30%) of the gross floor area of the dedicated space.

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments, in writing, to Sharon Schellin, Acting Secretary to the Zoning Commission, 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.