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Government of the District of Columbia
Office of Zoning

MEMORANDUM

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

FROM: Jerrily R Kress, FAIA
Director

DATE: March 24, 2005

SUBJECT: Publication for the Office of Zoning

Please publish the following in the *D C Register* on April 1, 2005:

1 Z.C. Notice of Proposed Rulemaking (Z.C. Case No 04-16),
2 Z.C Notice of Proposed Rulemaking (Z C Case No. 04-28), and
3 Z C Notice of Proposed Rulemaking (Z.C Case No 04-29)

Received By _____ Date _____

Attachments

ZONING COMMISSION
District of Columbia
CASE NO. 04-28
EXHIBIT NO. 6

ZONING COMMISSION
District of Columbia
CASE NO.04-28
EXHIBIT NO.6

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: CLIFFORD MOY

ADDRESS 441 4th Street, N.W., Suite 210 South TELEPHONE (202) 727-0348

TITLE AND DESCRIPTION OF RULES:

If this rulemaking action will amend or repeal existing rules, give a complete citation to the rules being amended or repealed Title 11 (Zoning) Chapters 1, 5, 6, 7, 8, 9, and 21

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 MARCH 18, 2005 SIGNED Alan Bergstein for 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 3-17-05

APPROVAL OF ATTEST

TITLE Acting Secretary to the Zoning Commission PHONE (202) 727-0340

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. 04 - 28 (TA)
(Text Amendment - DMV Driver's License Road Test Facilities - 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 Chapters 1, 5, 6, 7, 8, 9, and 21 of the Zoning Regulations (11 DCMR). The proposed rule would permit Driver's License Road Test Facilities as a matter of right use in Special Purpose (SP), Mixed Use (CR), certain Commercial (C-2), certain Industrial (C-M), and certain Waterfront (W-2 and W-3) zone districts 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*.

The proposed text amendment is as follows

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

A Section 199, DEFINITIONS, subsection 199.1, is amended to add the following new definition

Driver's License Road Test Facility - a building and associated paved area used by the District of Columbia Department of Motor Vehicles in connection with road tests or other tests of driving ability given to applicants for drivers' licenses or endorsements.

B. Section 501 USES AS A MATTER OF RIGHT (SP), subsection 501 1, is amended by adding a new subparagraph__[1] to read as follows.

(__) Driver's License Road Test Facility.

C Section 601 USES AS A MATTER OF RIGHT (CR), subsection 601 1, is amended by adding a new subparagraph__ to read as follows

(__) Driver's License Road Test Facility

D Section 721 USES AS A MATTER OF RIGHT (C-2), subsection 721 2, is amended by adding a new subparagraph__ to read as follows

(__) Driver's License Road Test Facility

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[1] A text amendment permitting Fire Department Facilities in various zone districts is proceeding concurrently with this case In order to avoid the use of the same subparagraph letter for these two different uses, no letter will be designated at this time with respect to these zone districts

E Section 801, USES AS A MATTER OF RIGHT (C-M), subsection 801.7, is amended by adding a new subparagraph__ to read as follows

(__) Driver's License Road Test Facility.

F Section 901, USES AS A MATTER OF RIGHT (W), is amended by adding a new § 901.6 to read as follows

901 6 A Driver's License Road Test Facility shall be permitted within the W-2 and W-3 Districts, the following uses as a matter of right

G Chapter 21, OFF-STREET PARKING REQUIREMENTS, is amended by inserting the following use in the table included in § 2101 1, SCHEDULE OF REQUIREMENTS FOR PARKING SPACES under "INSTITUTIONAL USES":

USES	NUMBER OF PARKING SPACES REQUIRED
Driver's License Road Test Facility	
C-2-A, C-3-A	**4 spaces for each employee.**
C-2-B, C-2-C, C-3-B, C-3-C, C-4 C-5, SP, CR, W-2, W-3	**4 spaces for each employee.**
C-M, M	**4 spaces for each employee.**

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments, in writing, to Clifford Moy, 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