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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. 04-29
EXHIBIT NO. 7

441 4th St , N W , Suite 210-S, Washington, D C 20001
Telephone (202) 727-6311 E-Mail Address zoning info@dcoz dc gov Web Site www dcoz dc gov

ZONING COMMISSION
District of Columbia
CASE NO.04-29
EXHIBIT NO.7

RULEMAKING TRANSMITTAL FORM

DATE AND TIME RECEIVED
Office of Documents use only

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

AGENCY: OFFICE OF ZONING

AGENCY REPRESENTATIVE: MR. CLIFFORD MOY

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

TITLE AND DESCRIPTION OF RULES:

Text Amendment – Fire and Emergency Medical Services Department of the District of Columbia Facilities

If this rulemaking action will amend or repeal existing rules, give a complete citation to the rules being amended or repealed:

Title 11 (Zoning) §§ 199.1, 201.1, 330.5, 350 4, 601 1, 701 6, 801 7, 901.1, 901.5, 2101.1.

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 22, 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) 727-0348

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. 04-29
(Text Amendment –Fire and Emergency Medical Services Department of the District of Columbia 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, 2, 3, 6, 7, 8, 9, and 21 of the Zoning Regulations (11 DCMR) The proposed rule would provide for Fire Stations, Fire Department Training Facilities, Fire Department Administrative Facilities, and Fire Department Support Facilities within 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 (Zoning) is proposed to be amended as follows:

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

Fire Department – the Fire and Emergency Medical Services Department of the District of Columbia

Fire Station- a building and associated land used by the Fire Department to house personnel and equipment in connection with the provision of fire, rescue, emergency medical, hazardous materials response, and other types of emergency services throughout the District of Columbia.

Fire Department Training Facility- a building and associated land used by the Fire Department to provide classroom and practical training for emergency services and support personnel. The facility may include training towers, live and simulated fire training buildings, training aides, driver training courses and administrative supports areas.

Fire Department Administrative Facility- a building (including the Fire Department's Headquarters) and associated land area used to provide administrative support to the Fire Department

Fire Department Support Facility- a building and associated land used to provide fleet maintenance, facilities maintenance, communications, or other types of non-administrative support to the Fire Department

B Section 201, USES AS A MATTER OF RIGHT (R-1), subsection 201 1 is amended by adding a new subparagraph (s) to read as follows

(s) Fire Station

C Section 330, R-4 DISTRICTS. GENERAL PROVISIONS, subsection 330 5, is amended by adding a new subparagraph (j) to read as follows

(j) Fire Department Administrative Facility.

D. Section 350, R-5 DISTRICTS: GENERAL PROVISIONS, subsection 350 4, is amended by adding a new subparagraph (h) to read as follows:

(h) Fire Department Support Facility, communications services only.

E. Section 601, USES AS A MATTER OF RIGHT (CR), subsection 601 1, is amended by adding a new subparagraph ( )[1] through ( ) to read as follows.

( ) Fire Station.

( ) Fire Department Administrative Facility.

( ) Fire Department Support Facility.

F. Section 701 USES AS A MATTER OF RIGHT (C-1), subsection 701.6, is amended by adding a new subparagraph (j) to read as follows

(j) Fire Department Support Facility.

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

( ) Fire Department Training Facility.

H Section 901, USES AS A MATTER OF RIGHT (W) is amended as follows:

1 Subsection 901.1 (uses as a matter of right W-1, W-2, and W-3) is amended by adding new subparagraphs (x) through (z) to read as follows

(x) Fire Station

(y) Fire Department Administrative Facility

(z) Fire Department Support Facility

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[1] A text amendment permitting Driver's License Road Test Facilities in CR, and CM 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

2 Subsection 901 5 (uses as a matter of right W-0) is amended by inserting new subparagraphs for each of the following uses in alphabetical order

(f) Fire Station
(g) Fire Department Administrative Facility

I 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
Fire Station:	
All R Districts, C-1, C-2-A, C-3-A	**In excess of 2,000 ft.^{2}, 1 space for each 600 ft.^{2} of gross floor area and cellar floor area**
All other districts	**In excess of 2,000 ft.^{2}, 1 space for each 1,800 ft.^{2} of gross floor area**
Fire Department Training Facility:	
C-M, M	**In excess of 2,000 ft.^{2}, 1 space for each 1,800 ft.^{2} of gross floor area**
Fire Department Administrative Facility:	
R-4 and R-5, C-1, C-2-A, C-3-A	**In excess of 2,000 ft.^{2}, 1 space for each 600 ft.^{2} of gross floor area and cellar floor area**
SP, CR, C-2-B, C-2-C, C-3-B, C-3-C, C-4, C-5(PAD), W-0, W-1, W-2, W-3, C-M, M	**In excess of 2,000 ft.^{2}, 1 space for each 1,800 ft.^{2} of gross floor area**
Fire Department Support Facility:	
R-5, C-1, C-2-A, C-3-A	**In excess of 2,000 ft.^{2}, 1 space for each 600 ft.^{2} of gross floor area and cellar floor area**

SP, CR, C-2-B, C-2-C, C-3-B, C-3-C, C-4, C-5(PAD), W-1, W-2, W-3, C-M, M	**In excess of 2,000 ft.^{2}, 1 space for each 1,800 ft.^{2} of gross floor area**

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