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553694	Submitted to ODAI	Notices, Opinions	Zoning Commission Notice of Final Rulemaking & Order No. 04-33C (Technical Correction to Section 2604.1)	10/15/2010 Vol 57/42	10/7/2010 16:53:26
553837	Submitted to ODAI	Final Rulemaking	Zoning Commission Notice of Final Rulemaking & Order No. 04-33C (Technical Correction to Section 2604.1)	10/15/2010 Vol 57/42	10/7/2010 16:52:28
553790	Submitted to ODAI	Notices, Opinions	Zoning Commission Notice of Final Rulemaking & Order No. 10-04 (Text Amendment to the ANC Notification Requirements Under Chapters 30 and 31 of the Zoning Regulations)	10/15/2010 Vol 57/42	10/7/2010 16:50:55
553693	Submitted to ODAI	Final Rulemaking	Zoning Commission Notice of Final Rulemaking & Order No. 10-04 (Text Amendment to the ANC Notification Requirements Under Chapters 30 and 31 of the Zoning Regulations)	10/15/2010 Vol 57/42	10/7/2010 16:50:28

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ZONING COMMISSION
District of Columbia
CASE NO. 04-33
EXHIBIT NO. 234

ZONING COMMISSION
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**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING**

AND

Z.C. ORDER NO. 04-33C

(Z.C. Case No. 04-33)

(Text Amendment – 11 DCMR)

Technical Correction to § 2604.1

September 27, 2010

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, D C Official Code § 6-641.01), hereby gives notice of adoption of the following text amendments to the Zoning Regulations of the District of Columbia, DCMR Title 11. A Notice of Proposed Rulemaking was published in the *D.C. Register* on August 6, 2010 at 57 DCR 7080. The amendments shall become effective upon the publication of this notice in the *D C Register*.

Description of Amendments

The amendments are purely technical in nature. They amend § 2406.1 to eliminate a redundant reference to Height Act compliance and to add references to the overlay chapters that modify matter-of-right area requirements to allow for the bonus density available to Inclusionary Developments.

Procedures Leading to Adoption of Amendments

The Commission adopted these changes pursuant to its Consent Calendar procedures set forth at 11 DCMR § 3030. Accordingly, the Commission did not hold a public hearing, or refer these amendments to the National Capital Planning Commission (“NCPC”).

The Notice of Proposed Rulemaking was published in the *D C Register* on August 6, 2010, 57 DCR 7080, for a 30-day notice and comment period. No comments were received.

At a properly noticed September 27, 2010 public meeting, the Commission took final action to adopt the text amendments as follows.

DCMR Title 11, ZONING, Chapter 26, INCLUSIONARY ZONING, § 2604.1 is amended to read as follows:

2604.1 Inclusionary developments subject to the provisions of this Chapter may construct up to twenty percent (20%) more gross floor area than permitted as a matter of right ("bonus density"), subject to all other zoning requirements as modified herein and in the zoning overlay provisions of Chapters 11–16, 18, and 19.

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 October 15, 2010.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING
AND
Z.C. ORDER NO. 04-33C
(Z.C. Case No. 04-33)
(Text Amendment – 11 DCMR)
Technical Correction to § 2604.1
September 27, 2010**

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