



401 9th Street, NW
North Lobby, Suite 500
Washington, DC 20004
Tel 202 482-7200
Fax 202 482-7272
www.ncpc.gov

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The Honorable Linda W. Cropp

Executive Director

Patricia E. Gallagher, AICP

IN REPLY REFER TO:
NCPC File No. Z.C. 05-01

AUG 10 2005

Zoning Commission for the
District of Columbia
2nd Floor, Suite 210 South
441 4th Street, NW
Washington, D.C. 20001

Members of the Commission

In response to your request, pursuant to delegations of authority adopted by the Commission on August 6, 1999, I have reviewed the proposed text amendment to the Zoning Regulations of the District of Columbia designating Adult Development Centers as a use permitted by special exception or as a matter of right, and found that the proposal would not be inconsistent with the Comprehensive Plan for the National Capital, nor would it have an adverse impact on any federal interest.

A copy of the Delegated Action of the Executive Director is enclosed.

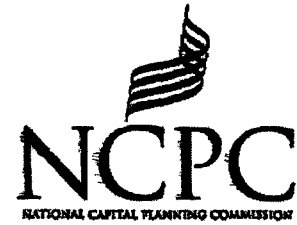
Sincerely,

Patricia E. Gallagher, AICP
Executive Director

Enclosure

~~ZONING COMMISSION~~
~~District of Columbia~~
CASE NO. 05-01
EXHIBIT NO. 10

RECEIVED
AUG 15 PM 3 53



**PROPOSED TEXT ADMENDMENT TO THE ZONING REGULATIONS OF THE
DISTRICT OF COLUMBIA DESIGNATING ADULT DEVELOPMENT CENTERS AS
A USE PERMITTED BY SPECIAL EXCEPTION OR AS A MATTER OF RIGHT**

Washington, D.C.

Delegated Action of the Executive Director

JUL 28 2005

Pursuant to delegations of authority adopted by the Commission on August 6, 1999, I find that the proposed text amendment to the Zoning Regulations of the District of Columbia designating Adult Development Centers as a use permitted by special exception or as a matter of right, would not be inconsistent with the Comprehensive Plan for the National Capital, nor would it have an adverse impact on any federal interests.

* * *

The Zoning Commission of the District of Columbia is proposing a text amendment to the Zoning Regulations of the District of Columbia designating adult development centers as a use permitted by special exception or as a matter of right. The Commission initiated this proceeding in order to address an issue that arose during a Board of Zoning Adjustment proceeding. The text amendment under consideration would allow Adult Development Centers under the same circumstances as Child or Elderly Development Centers are permitted.

The proposed text amendment would require changes to the Zoning Regulations. The following is an overview of revisions:

- The use of Child/Elderly Development Center in definitions and titles would be replaced to read as Child/Adult/Elderly Development Center.
- Child/Adult/Elderly Development Center definition:
 - the center is a building other than a community based residential facility
 - the center will provide care for individuals with disabilities
 - the facilities shall include day treatment centers

- the center will include health and social services for the person or person with legal charge of individuals attending the center, including, but not limited to, any parent, spouse, sibling, child or legal guardian of such individuals.

- Amend § 205.3 to read :

The Child/Adult/Elderly Development Center shall be located and designed to create no objectionable traffic condition and no unsafe condition for picking up and dropping off persons attending the center.

The District of Columbia Office of Planning (DCOP) reviewed the proposed text amendment and recommended that the name "Adult Development Centers" be revised to Adult Day Treatment Facilities (ADTF). DCOP noted that the proposal would be a compatible use as a matter of right within the following Zone Districts: C-2 to C-5 Commercial, Special Purpose, CR Mixed Use, C-M and M Industrial, Waterfront (except W-0 and W-1). DCOP recommended amending parking requirements for all districts to provide one space for every four ADTF teachers/employees. Other DCOP recommendations were incorporated in the proposed text amendment.



Patricia E. Gallagher, AICP
Executive Director