

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: November 30, 2005

SUBJECT: Publication for the Office of Zoning

Please publish the following in the *D C Register* on December 9, 2005

- ✓ 1 Z.C. Notice of Proposed Rulemaking (Case No 05-12),
- 2 Z.C. Notice of Public Hearing (Case No 05-17),
- 3 Z.C. Notice of Public Hearing (Case No 05-18),
- 4 Z.C. Notice of Public Hearing (Case No 05-32)

Attachments

~~2005-11-30~~
District of Columbia

CASE NO. 05-12
EXHIBIT NO. 15

2005 NOV 30 PM 12:33
Doc. Mgmt. and
Administrative
Issuances

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) 442-0340

TITLE AND DESCRIPTION OF RULES Text Amendment - 11 DCMR - Hostels

If this rulemaking action will amend or repeal existing rules, give a complete citation to the rules being amended or repealed Title 11 (Zoning) Sections 199 1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 NOVEMBER 8, 2005

SIGNED

Robt J Spagnoletti

PHONE (202) 442-9777

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

Section 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat 797, 799 D C Official Code § 6-641 01)

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

DATE OF APPROVAL OF VOTE

10/27/05

APPROVAL OF ATTEST

Sharon Schellin
Acting Secretary to the Zoning

TITLE Commission

PHONE (202) 727-0340

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THIS NOTICE PUBLISHED AT

VOL

DCR

DATE

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PROPOSED RULEMAKING
Z.C. Case No. 05-12
(Text Amendment – 11 DCMR – Hostels)

The Zoning Commission for the District of Columbia, pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat 797, as amended, D.C. Code 2001 Ed. § 6-641.01 (2001)), hereby gives notice of its intent to amend chapters 1 and 17 of the Zoning Regulations (Title 11 DCMR). The proposed amendment would modify the definition of “Inn” to clarify that the limitation on central dining does not prohibit Inns, including hostels, from providing centrally located cooking facilities or permitting guests to prepare and eat meals in such facilities. The proposed amendment would also permit the hostel located at Lot 810, Square 342 (1009 11th Street, N W) to expand or rebuild without having to comply with the residential requirement of § 1706.5(b) of the Zoning Regulations and to achieve a maximum density of 9.5 FAR, notwithstanding the fact that it will not be subject to that requirement. 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 following rulemaking action is proposed:

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

A. Section 199, DEFINITIONS, subsection 199.1 (“Inn”), is amended by adding a new final sentence as follow and shown bolded and underlined:

Inn - a building or part of a building in which habitable rooms or suites are reserved primarily for transient guests who rent the rooms or suites on a daily basis. Guestrooms or suites may include kitchens, but central dining, other than breakfast for guests, is not allowed. The term "inn" may be interpreted to include an establishment known as a bed and breakfast, hostel, or tourist home, but shall not be interpreted to include a hotel, motel, private club, rooming house, boarding house, tenement house, or apartment house. **For the purposes of this definition, the limitation on central dining does not prohibit an Inn from allowing guests to prepare their meals at centrally located cooking facilities and to eat such meals in a central dining area.**

B Chapter 17, DOWNTOWN DEVELOPMENT OVERLAY DISTRICT, Section 1706, Residential and Mixed Use Development, is amended by adding a new subsection 1706.20 to read as follows:

NOTICE OF PROPOSED RULEMAKING

Z C. CASE NO. 05-12

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1706 20 The hostel existing as of (THE EFFECTIVE DATE OF THIS AMENDMENT) on the land area currently comprising lot 810 in Square 342 may be expanded or rebuilt without complying with the housing requirement specified in § 1706 5(b) for so long as the hostel use continues and may be constructed to a maximum FAR of 9 5, notwithstanding the inapplicability of the residential requirement

All persons desiring to comment on the subject matter of this proposed rulemaking action should file comments in writing no later than thirty (30) days after the date of publication of this notice in the *D C Register*. Comments should be filed with Sharon S Schellin, Office of Zoning, 441 4th Street, N.W., Suite 210-S, Washington, D C 20001. Copies of this proposed rulemaking action may be obtained at cost by writing to the above address.