

Office of  
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Issuances

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**

2007 JUN -4 PM 3: 49 **Office of Zoning**

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**MEMORANDUM**

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**To:** Office of Documents and Administrative Issuance  
**From:** Sharon S. Schellin <sup>3</sup>  
Secretary to the Zoning Commission  
**Date:** June 4, 2007  
**Re:** Publication for the Office of Zoning

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Please publish the following in the *D.C. Register* on June 15, 2007:

1. Z.C. Notice of Proposed Rulemaking (Case No. 07-04).

Attachment

ZONING COMMISSION  
District of Columbia

CASE NO. 07-04

EXHIBIT NO. 8

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441 4<sup>th</sup> Street, N.W., Suite 200/210-S, Washington, D.C. 20001

Telephone: (202) 727-6311

Facsimile: (202) 727-6072

E-Mail: [dcoz@dc.gov](mailto:dcoz@dc.gov)

Web Site: [www.dcoz.dc.gov](http://www.dcoz.dc.gov)

ZONING COMMISSION  
District of Columbia  
CASE NO.07-04  
EXHIBIT NO.8

# RULEMAKING TRANSMITTAL FORM

2007 JUN -4 PM 3:49

**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 4<sup>th</sup> Street, N.W., Suite 210 South

**TELEPHONE:** (202) 727-0340

**TITLE AND DESCRIPTION OF RULES:** Z.C. Case No. 07-04: (Text Amendment – temporary and correctional institutions in the C-M Districts)

If this rulemaking action will amend or repeal existing rules, give a complete citation to the rules being amended or repealed: Title 11 (Zoning) Subparagraph 801.7(k)

**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:** JUNE 1, 2007

**SIGNED:** *Linda Singer*

**PHONE:** (202) 442-9777

|   |                                      |                           |                                |
|---|--------------------------------------|---------------------------|--------------------------------|
| <input checked="" type="checkbox"/> FINAL | <input type="checkbox"/> CONDITIONAL | <b>NAME:</b> LINDA SINGER | <b>TITLE:</b> 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. 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:** 5-31-07

**APPROVAL OF ATTEST:** *Sharon J. Schellin*

Secretary to the Zoning Commission

**TITLE:** 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**  
**Z.C. Case No. 07-04**  
**(Text Amendment – 11 DCMR)**  
**(Text Amendment – temporary detention and correctional institutions in the C-M**  
**Districts)**

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. Official Code § 6-641.01), hereby gives notice of its intent to repeal § 801.7(k) of the Zoning Regulations. This provision was added by the Zoning Commission Order 71-33 to permit “temporary detention or correctional institution on leased property for a period not to exceed three (3) years” as an allowed use in C-M (commercial-light manufacturing) Zone Districts. The provision was adopted over 35 years ago in response to a short-term crisis the District faced in housing its prison population. The provision was never lawfully used and the crisis has long passed. The regulation is therefore not necessary.

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) is amended by deleting § 801.7(k).

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 Schellin, Secretary to the Zoning Commission, Office of Zoning, 441 4<sup>th</sup> Street, N.W., Suite 200-S, Washington, D.C. 20001. Copies of this proposed rulemaking action may be obtained at cost by writing to the above address.