

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



MEMORANDUM

Office of
Documents and
Administrative
Issuances

2007 NOV 20 PM 1:52

To: Office of Documents and Administrative Issuance
From: Sharon S. Schellin
Secretary to the Zoning Commission
Date: November 20, 2007
Re: Publication for the Office of Zoning

Please publish the following in the *D.C. Register* on November 30, 2007:

1. Z.C. Notice of Proposed Rulemaking (Case No. 07-20).

Attachment

ZONING COMMISSION
District of Columbia
CASE NO. 07-20
EXHIBIT NO. 11

441 4th Street, N.W., Suite 200/210-S, Washington, D.C. 20001
Telephone: (202) 727-6311 Facsimile: (202) 727-6072 E-Mail: dcoz@dc.gov Web Site: www.dcoz.dc.gov

ZONING COMMISSION
District of Columbia
CASE NO.07-20
EXHIBIT NO.11

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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: 727-0340

TITLE AND DESCRIPTION OF RULES: Z.C. Case No. 07-20 Map and Text Amendments to zone Kingman and Heritage Islands, and accommodate construction of a public nature education center on Kingman Island

If this rulemaking action will amend or repeal existing rules, give a complete citation to the rules being amended or repealed: Title 11 (Zoning) Sections 2100, 2200, 930, and 938.

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 16, 2007 SIGNED: *Sharon J. Schellin* for PHONE: (202) 442-9777

FINAL CONDITIONAL NAME: LINDA SINGER 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.

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:	10-11-07	APPROVAL OF ATTEST:	<i>Sharon J. Schellin</i>	Secretary to the Zoning 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. 07-20

(Text Amendment – 11 DCMR)

**Map and Text Amendments to Zone Kingman and Heritage Islands, and Accommodate
Construction of a Public Nature Education Center on Kingman Island**

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 amend the Zoning Map and §§ 2100, 2200, 930, and 938 of the Zoning Regulations (Title 11 DCMR).

The proposed map amendment zones Kingman and Heritage Islands, islands located in the Anacostia River that are currently unzoned, in the W-0 Zone District. The proposed text amendments:

- exempt the proposed Kingman Island public nature center from the parking and loading requirements of §§ 2101.1 and 2200.1;
- exempt the public nature center from the waterfront setback requirement of § 938.2; and
- exempt the public nature center from the roof structure setback requirement of § 930.3(b).

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 (new text is shown **bolded** and underlined):

- A. The Zoning Map is amended by including Kingman and Heritage Islands in the W-0 Zone District.
- B. Chapter 21, OFF-STREET PARKING REQUIREMENTS, is amended by amending § 2100.1 to read as follows:

2100.1 All buildings or structures erected on or after May 12, 1958, shall be provided with parking spaces to the extent specified in § 2101, except as permitted by §§ 2102 through 2108 and for structures erected on Kingman and Heritage Islands for which the construction of parking spaces shall be prohibited except for handicap spaces.

- C. Chapter 22, OFF-STREET LOADING FACILITY REQUIREMENTS, is amended by amending § 2200.1 to read as follows:

2200.1 All buildings or structures erected on or after May 12, 1958, shall be provided with loading berths, loading platforms, and service/delivery loading spaces to the extent specified in § 2201, except as provided in § 2202 and for structures

erected on Kingman and Heritage Islands for which the construction of service delivery loading spaces shall be prohibited.

D. Chapter 9, WATERFRONT DISTRICTS, is amended by:

1. Adding a new § 930.5 to read as follows:

930.5 Roof structures less than ten (10) feet in height above a roof or parapet wall of a structure in the W-0 District shall not be subject to the requirements of this section when the top of the roof structure is below maximum building height prescribed for the W-0 District.

2. Amending § 938.2 to read as follows:

938.2 Notwithstanding § 938.1, a waterfront setback need not be provided for a water taxi ticketing/information booth, or for structures directly associated with a public-accessible wharf, dock or pier and for a public nature education center on Kingman Island.

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 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.