

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Office of Zoning**



**Z.C. CASE NO.: 08-06B & 08-06C**

As Secretary to the Commission, I hereby certify that on February 13, 2015, copies of this Z.C. Notice of Public Hearing were mailed first class, postage prepaid or sent by inter-office government mail to the following:

- |                                                                                      |                                                                                                                             |
|--------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| 1. <i>D C. Register</i> (02/11/15)                                                   | 7. Maximilian Tondro, Esq.<br>Acting General Counsel<br>DCRA<br>1100 4 <sup>th</sup> Street, S.W.<br>Washington, D.C. 20024 |
| 2. All ANCs (see attached list)                                                      | 8. Office of the Attorney General (Alan Bergstein)                                                                          |
| 3. Gottlieb Simon<br>ANC<br>1350 Pennsylvania Avenue, N.W.<br>Washington, D.C. 20004 | 9. MLK Library (30 Copies)                                                                                                  |
| 4. All Councilmembers (see attached list)                                            | 10. Jay Wilson (DDOE)                                                                                                       |
| 5. Office of Planning (Jennifer Steingasser)                                         |                                                                                                                             |
| 6. DDOT (Jamie Henson)                                                               |                                                                                                                             |

**ATTESTED BY:**   
**Sharon S. Schellin**  
**Secretary to the Zoning Commission**  
**Office of Zoning**

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
NOTICE OF PUBLIC HEARING**

**TIME AND PLACE:**           **Monday, April 6, 2015, @ 6:30 P.M. – 1<sup>st</sup> Case**  
                                  **Jerrily R. Kress Memorial Hearing Room**  
                                  **441 4<sup>th</sup> Street, N.W. Suite 220-S**  
                                  **Washington, D.C. 20001**

**FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:**

**CASE NO. 08-06B (Office of Zoning - Text Amendment to 11 DCMR, Subtitles Y and Z to Establish Board of Zoning Adjustment and Zoning Commission Fees)**

**THIS CASE IS OF INTEREST TO ALL ANCs**

At the December 11, 2014 public meeting held by the Zoning Commission, the Office of Zoning (“OZ”) requested that it be allowed to commence a proceeding under the Zoning Regulations Review case, Case No. 08-06A, to establish the fees for the Board of Zoning Adjustment and the Zoning Commission applicable to the various types of proceedings described in the revised Title 11 for which the Commission took proposed action at that same meeting. The actual fees were left blank in the version of the revised title before the Commission. The purpose of this proceeding is the fill in the blanks. If the Commission takes proposed action as to this proceeding, the fees proposed would be incorporated into the final version of the revised Title 11 and considered by the Commission at the time it considers taking final action on the entire title. OZ further requested that the proceeding be permitted to be advertised without a setdown procedure per § 3011.3. The Commission agreed to waive setdown.

The vast majority of the fees are those that presently exist, although a few additional fees have been added for several new special exceptions that will be available under the revised Title 11. Those new fees were based upon the present fee structure. As an alternative, the Office of Zoning is proposing that the all the fee amounts that follow should be three percent (3%) greater than the amount stated.

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

**Create new Chapter 16, Fees in Title 11, Subtitle B:**

**1600            FILING FEES FOR APPLICATIONS AND APPEALS**

1600.1        Except as provided in Y §§ 1600.2 and 1600.3, at the time of filing an appeal or application with the Board of Zoning Adjustment, the appellant or applicant shall pay a filing fee in accordance with the following schedule:

- (a)        Appeal of any decision of the Zoning Administrator or other administrative officer, one thousand forty dollars (\$1,040), except that the following appellants shall not be required to pay a filing fee:
  - (1)        A department, office, or agency of the Government of the District of Columbia, including an Advisory Neighborhood Commission (ANC),
  - (2)        The National Capital Planning Commission, and
  - (3)        A citizens’ association or association created for civic purposes that is not for profit, and

**(b) Application for a special exception**

- (1) Accessory apartment, three hundred twenty-five dollars (\$325);**
- (2) Antenna or monopole, two thousand six-hundred dollars (\$2,600), and**
- (3) Chancery application for permission to locate, replace, or expand a chancery not meeting the conditions for a matter of right use, sixty-five dollars (\$65) for each one hundred square feet (100 sq ft ) or part thereof of gross floor area;**
- (4) Community-based institutional facility or emergency shelter, one hundred four dollars (\$104) for each person housed based on the maximum capacity requested (not including resident supervisors and their families), with a maximum of five thousand two hundred dollars (\$5,200);**
- (5) Continuing care retirement community, one hundred four dollars (\$104) for each person housed based on the maximum capacity requested (not including resident supervisors and their families), with a maximum of five thousand two hundred dollars (\$5,200),**
- (6) Daytime care use, thirty-three dollars (\$33) for each individual based on the maximum capacity requested, with a maximum of three thousand two hundred fifty dollars (\$3,250),**
- (7) Gasoline service station, five thousand two hundred dollars (\$5,200),**
- (8) General institutional uses, one thousand five hundred sixty dollars (\$1,560);**
- (9) Health care facility that houses individuals, thirty-three dollars (\$33) for each person housed based on the maximum capacity requested (not including resident supervisors and their families), with a maximum of three thousand two hundred fifty dollars (\$3,250),**
- (10) Home occupation not permitted as a matter-of-right in the R, RF, or RA zones, one thousand five hundred sixty dollars (\$1,560),**
- (11) Large format retail, five thousand two hundred dollars (\$5,200),**
- (12) Lodging, for any number of rooms, one hundred four dollars (\$104) for each sleeping room or suite,**
- (13) Office use in an MU-1 or MU-2 zone, for each one hundred square feet (100 sq. ft ) or part thereof of gross floor area, fifty-two dollars (\$52),**
- (14) Parking lot, parking garage, or accessory parking, one hundred four dollars (\$104) for each parking space;**
- (15) Private school, thirty-three dollars (\$33) for each full-time or part-time student based on the maximum capacity requested, with a maximum of three thousand two hundred fifty dollars (\$3,250);**

- (16) Production, distribution, and repair uses, five thousand two hundred dollars (\$5,200),
  - (17) Religious institutional uses or programs conducted by a religious congregation or group of congregations, one thousand five hundred sixty dollars (\$1,560),
  - (18) Repair garage, one thousand five hundred sixty dollars (\$1,560),
  - (19) Residential development, new, except those comprising all one-family detached and semi-detached dwellings in the RA-1 and RA-6 zones pursuant to U § 421 1, five hundred forty dollars (\$540) for each dwelling unit,
  - (20) Roof structures pursuant to C § 1500 14, two thousand six hundred dollars (\$2,600),
  - (21) Theoretical lot pursuant to § C § 305 1, one thousand five hundred sixty dollars (\$1,560) for the first lot and five hundred twenty dollars (\$520) for each lot thereafter,
  - (22) Warehouse or wholesale use, five thousand two hundred dollars (\$5,200),
  - (23) Waste-related services, including, but not limited to, hazardous waste removal, automobile repair shop including body work within two hundred feet (200 ft ) of a residential zone, and an intermediate materials recycling facility, five thousand two hundred dollars (\$5,200), and
  - (24) For any other special exception not listed in this section, one thousand five hundred sixty dollars (\$1,560),
- (c) Application for a variance, one thousand forty dollars (\$1,040) for each provision of the Zoning Regulations from which a variance is requested,
  - (d) Owner-occupied one-family dwelling or flat, regardless of the number of variances, special exceptions, or alternatives requested, three hundred twenty-five dollars (\$325),
  - (e) For a time extension, a modification of a Board order or approved plans whether the modification is minor or not, for the owner of an owner-occupied one-family dwelling or flat, one hundred thirty dollars (\$130), for all other applicants, twenty-six percent (26%) of the original filing fee

1600.2 In the case of an application combining two (2) or more actions described in Y §§ 1600 1(b) and 1600 1(c), or for an application requesting consideration of more than one (1) alternative, the fee shall be the total of the amounts for each action or alternative computed separately

1600 3 A department, office, or agency of the Government of the District of Columbia shall not be required to pay a filing fee for a special exception or variance where the property is owned by the District of Columbia or that agency or is under one (1) or both of their jurisdictions and the property is to be occupied for a government building or use

**TABLE Y § 1600 – SCHEDULE OF FILING FEES**

| <b>SPECIAL EXCEPTIONS</b>                                                                                                             |                    |            |                |
|---------------------------------------------------------------------------------------------------------------------------------------|--------------------|------------|----------------|
| <b>Case Type</b>                                                                                                                      | <b>Unit</b>        | <b>Fee</b> | <b>Maximum</b> |
| Accessory apartment                                                                                                                   |                    | \$325      |                |
| Antenna or monopole                                                                                                                   |                    | \$2,600    |                |
| Chancery                                                                                                                              | per 100 sq. ft.    | \$65       |                |
| Community-based institutional facility or emergency shelter                                                                           | per person         | \$104      | \$5,200        |
| Continuing care retirement community                                                                                                  | per person         | \$104      | \$5,200        |
| Daytime care use                                                                                                                      | per student        | \$33       | \$3,250        |
| Gasoline service station                                                                                                              |                    | \$5,200    |                |
| General institutional uses                                                                                                            |                    | \$1,560    |                |
| Health care facility                                                                                                                  | per person         | \$104      | \$6,000        |
| Home occupation                                                                                                                       |                    | \$1,560    |                |
| Large format retail                                                                                                                   |                    | \$5,200    |                |
| Lodging                                                                                                                               | per room or suite  | \$104      |                |
| Office use in MU-1 or MU-2 zone                                                                                                       | per 100 sq. ft.    | \$52       |                |
| Owner-occupied dwelling                                                                                                               |                    | \$325      |                |
| Parking lot, parking garage, or accessory parking                                                                                     | per space          | \$104      |                |
| Private school                                                                                                                        | per student        | \$33       | \$3,250        |
| Production, distribution, and repair pursuant to U § 802.1(e)                                                                         |                    | \$5,200    |                |
| Religious institutional uses                                                                                                          |                    | \$1,560    |                |
| Repair garage                                                                                                                         |                    | \$1,560    |                |
| Residential development pursuant to U § 421.1                                                                                         | each dwelling unit | \$540      |                |
| Roof structures pursuant to C § 1500.14                                                                                               |                    | \$2,600    |                |
| Special exception (all other)                                                                                                         |                    | \$1,560    |                |
| Theoretical lot pursuant to C § 305.1                                                                                                 |                    | \$1,560    |                |
| Additional Theoretical Lot Under C § 305.1                                                                                            |                    | \$520      |                |
| Time extension,/minor and non-minor modification (owner-occupied)                                                                     |                    | \$130      |                |
| Time extension/minor and non-minor modification (all others)                                                                          |                    | 26%        |                |
| Warehouse or wholesale use                                                                                                            |                    | \$5,200    |                |
| Waste-related services                                                                                                                |                    | \$5,200    |                |
| Property owned or under jurisdiction of District or District and to be occupied for a government building or use                      |                    | \$0        |                |
| <b>VARIANCES</b>                                                                                                                      |                    |            |                |
| <b>Case Type</b>                                                                                                                      | <b>Unit</b>        | <b>Fee</b> | <b>Maximum</b> |
| Variance (owner-occupied dwelling)                                                                                                    |                    | \$325      |                |
| Variance (property owned or under jurisdiction of the District or a District agency to be occupied for a government building or use.) |                    | \$0        |                |
| Variance (all other)                                                                                                                  |                    | \$1,040    |                |

| <b>APPEALS</b>                                                   |             |            |                |
|------------------------------------------------------------------|-------------|------------|----------------|
| <b>Case Type</b>                                                 | <b>Unit</b> | <b>Fee</b> | <b>Maximum</b> |
| NCPC/ANCs/Citizens Association/Civic Association/Not-for-Profits |             | \$0        |                |
| All other organizations, groups or persons                       |             | \$1,040    |                |

**1601 MISCELLANEOUS FEES**

1601.1 Fees for miscellaneous zoning services and documents provided by the Office of Zoning are as follows:

- (a) The fee for providing a zoning certification is fifty dollars (\$50) for each property certified;
- (b) The fee for photocopying is twenty cents (.20¢) per page;
- (c) The fee for providing certification of an exhibit from a case record shall be fifteen dollars (\$15) for each exhibit certified; and
- (d) The fee for retrieving Office of Zoning records located off-site is thirty-two dollars (\$32) per each request for retrieval of up to five (5) case files. This fee will be waived when the records are sought for noncommercial use and the request is made by an educational or scientific institution for scholarly or scientific research or by a representative of the news media. The Office of Zoning may not require advance payment of the fee unless the requester has previously failed to pay fees in a timely fashion.

**TABLE Y § 1601 – SCHEDULE OF MISCELLANEOUS FEES**

| <b>Service</b>                          | <b>Fee</b> |
|-----------------------------------------|------------|
| Zoning Certification                    | \$50.00    |
| Photocopying                            | \$ 0.20    |
| Certification of Exhibit                | \$15.00    |
| Retrieval of Records (located off-site) | \$32.00    |

**1602 ADMINISTRATION OF BOARD AND MISCELLANEOUS FEES**

- 1602.1 The Director shall be responsible for administering, interpreting, and applying the terms of the fee schedule in Y §§ 1600.1 and 1601.1.
- 1602.2 All fees shall be paid by check or money order made payable to the D.C. Treasurer, or by credit card where indicated by the Office of Zoning.
- 1602.3 The Director shall conduct a review of the fee structure triennially and make recommendations for changes to the Zoning Commission.
- 1602.4 Any decision of the Director regarding the application of the fee schedule set forth in 1600.1 may be appealed to the Board by the appellant or applicant. The fee appeal shall be in writing and set forth specifically the error allegedly committed by the Director, the grounds for the appeal, and the relief requested.

- 1602.5 The Board shall decide the fee appeal at a meeting. The Board's decision shall be communicated by the Director to the Applicant in writing. No request for reconsideration of the Board's decision shall be accepted and the Board may not waive this prohibition.
- 1602.6 Once a filing fee has been submitted, it will not be refunded except that the Board may authorize the refund by the District of Columbia Treasurer of all or a portion of the filing fee if it finds that the application was incorrectly filed at the direction of the Zoning Administrator.

**Create new Chapter 16, Fees in Title 11, Subtitle Z:**

**1600 FILING FEES**

- 1600.1 At the time of filing a petition for a rulemaking map amendment, the petitioner shall pay a filing fee of three hundred twenty-five dollars (\$325).
- 1600.2 At the time of filing a petition for an amendment to the text of the Zoning Regulations, the petitioner shall pay a filing fee of three hundred twenty-five dollars (\$325).
- 1600.3 At the time of filing an application for approval of a planned unit development (PUD), contested case map amendment, air space development, the applicant shall pay a filing fee of six hundred fifty dollars (\$650).
- 1600.4 At the time of filing an application for a modification to an approved PUD, air space development, the applicant shall pay a filing fee of five hundred twenty dollars (\$520).
- 1600.5 At the time of filing an application for a college or university use, the applicant shall pay a filing fee of six thousand five hundred dollars (\$6,500) for the processing of a new or revised campus plan, and three thousand two hundred fifty dollars (\$3,250) for review of a specific building or use within an approved plan.
- 1600.6 At the time of filing an application for approval of a required design review, the applicant shall pay the following filing fee:
- (a) For each one hundred square feet (100 sq. ft.) of gross floor area or part thereof included in the application devoted to dwelling units, and the immediate area needed to serve that dwelling unit, seven dollars (\$7), with a maximum of sixty-five thousand dollars (\$65,000),
  - (b) For each one hundred square feet (100 sq. ft.) of gross floor area or part thereof included in the application devoted to any use other than a dwelling unit and the immediate area needed to serve that dwelling unit, thirteen dollars (\$13), and
  - (c) In the case of an application that combines dwelling units and other uses, the fee shall be the total of the amounts for each use computed separately.
- 1600.7 At the time of filing an application for approval of a voluntary design review, the applicant shall pay a filing fee of two thousand dollars (\$2,000).
- 1600.8 At the time of filing an application for a modification to an approved required design review, the applicant shall pay a filing fee of twenty-six percent (26%) of the original filing fee or one thousand three hundred dollars (\$1,300), whichever is greater.

**Z.C. NOTICE OF PUBLIC HEARING**  
**Z.C. CASE NO. 08-06B**  
**PAGE 7**

- 1600.9 At the time of filing an application for a modification to an approved voluntary design review, the applicant shall pay a filing fee of fifteen hundred dollars (\$1,500).
- 1600.10 At the time of filing a request for approval of an extension of time to the validity of a Zoning Commission order, the applicant shall pay a filing fee of five hundred twenty dollars (\$520).
- 1600.11 Fees for any additional relief for special exception or variance will be assessed pursuant to Subtitle Y § 1600 – Schedule of Filing Fees.

**TABLE Z § 1600 – SCHEDULE OF FILING FEES**

| <b>Case Type</b>                                                                                                                                                                                                       | <b>Fee</b>                                                       | <b>Maximum</b> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|----------------|
| Map amendment by rulemaking                                                                                                                                                                                            | \$325                                                            |                |
| Text amendment                                                                                                                                                                                                         | \$325                                                            |                |
| Planned unit development (PUD), contested case map amendment, air space development                                                                                                                                    | \$650                                                            |                |
| Modification to an approved PUD, air space development                                                                                                                                                                 | \$520                                                            |                |
| Extension of time to the validity of an order for an approved design review or PUD                                                                                                                                     | \$520                                                            |                |
| College or university – new or revised campus plan                                                                                                                                                                     | \$6,500                                                          |                |
| College or university – review of a building or use w/in an approved plan                                                                                                                                              | \$3,250                                                          |                |
| Design review (voluntary)                                                                                                                                                                                              | \$2,000                                                          |                |
| Design review (required)                                                                                                                                                                                               |                                                                  |                |
| For each one hundred square feet (100 sq. ft.) of gross floor area or part thereof included in the application devoted to dwelling units, and the immediate area needed to serve that dwelling unit                    | \$ 7/100 sq. ft.                                                 | \$65,000       |
| For each one hundred square feet (100 sq. ft.) of gross floor area or part thereof included in the application devoted to any use other than a dwelling unit and the immediate area needed to serve that dwelling unit | \$13/100 sq. ft.                                                 |                |
| Modification to approved design review                                                                                                                                                                                 |                                                                  |                |
| Voluntary                                                                                                                                                                                                              | \$1,500                                                          | \$1,500        |
| Required                                                                                                                                                                                                               | 26% of the original hearing fee or \$1,300, whichever is greater |                |

**1601 HEARING FEES**

- 1601.1 If the Commission schedules a public hearing on an application or petition for an amendment to the Zoning Map, prior to advertisement of the hearing, the applicant or petitioner shall pay a hearing fee in accordance with the following schedule:
- (a) For a map amendment to any R-1 through R-3, R-6 through R-17, or R-19 through R-21 zone, for each forty-three thousand five hundred and sixty square feet (43,560 sq. ft.) or part of that area, six hundred fifty dollars (\$650):
  - (b) For a map amendment to any RF-1 through RF-3 zone and RA-1 or RA-6 zone, for each forty-three thousand five hundred and sixty square feet (43,560 s.f.) or part of that area, one thousand six hundred twenty-five dollars (\$1,625);
  - (c) For a map amendment to any RA-2, RA-7, RA-8, or RC-1 zone, for each forty-three thousand five hundred and sixty square feet (43,560 s.f.) or part of that area, three thousand two hundred fifty dollars (\$3,250);

- (d) For a map amendment to any RA-3 through RA-5, RA-9, RA-10, D-1-R, SEFC-2, SEFC-3, or CG-1 zone, for each forty-three thousand five hundred and sixty square feet (43,560 s f ) or part of that area, six thousand five hundred dollars (\$6,500),
- (e) For a map amendment to any MU-1, MU-2, MU-10 through MU-16, MU-22, MU-23, MU-29, D-2, SEFC-1, SEFC-4, CG4 through CG-7, and ARTS-4 zone, for each ten thousand square feet (10,000 sq. ft.) or part of that area, two thousand six hundred dollars (\$2,600),
- (f) For a map amendment to any MU-3 through MU-6, MU-17 through MU-19, MU-24 through MU-27, NC-1 through NC-5, NC-7, NC-9 through NC-11, NC-14, NC-16, NC-17, D-4-R, CG-2, ARTS-1, ARTS-2, RC-2 and RC-3 zone, for each ten thousand square feet (10,000 sq ft ) or part of that area, one thousand six hundred twenty-five dollars (\$1,625);
- (g) For a map amendment to any MU-7 through MU-9, MU-20, MU-21, MU-28, NC-6, NC-8, NC-12, NC-13, NC-15, D-3 through D-5, D-5-R, D-6, D-6-R, D-7, D-8, CG-3, and ARTS-3 zone, for each ten thousand square feet (10,000 sq ft ) or part of that area, three thousand two hundred fifty dollars (\$3,250),
- (h) For a map amendment to any PDR-1 through PDR-7 zone, for each twenty thousand square feet (20,000 s f.) or part of that area, two thousand six hundred dollars (\$2,600),
- (i) The maximum hearing fee for a map amendment listed in §§ 1601 1(a) through (d) shall be sixty-five thousand dollars (\$65,000), and
- (j) For an application or petition that proposes a map amendment to more than one (1) zone or is in the alternative, the fee shall be the total of the amounts for the area devoted to each proposed district or alternative computed separately

1601.2 An applicant or petitioner shall not be required to pay a hearing fee for any alternative districts added by the Commission at the time it sets the case for hearing

1601.3 If the Commission schedules a public hearing on a petition for an amendment to the text of the Zoning Regulations, prior to the advertisement of the hearing, the petitioner shall pay a hearing fee of three hundred twenty-five dollars (\$325) for each section of this title proposed to be added, deleted, or amended, with a maximum hearing fee of one thousand three hundred dollars (\$1,300).

1601 4 If the Commission schedules a public hearing on an application for approval of a PUD or air space development, prior to the advertisement of the hearing, the applicant shall pay a hearing fee in accordance with the following schedule

- (a) For each one hundred square feet (100 sq ft ) of gross floor area or part thereof included in the application devoted to dwelling units, and the immediate area needed to serve that dwelling unit, seven dollars (\$7), with a maximum of sixty-five thousand dollars (\$65,000),
- (b) For each one hundred square feet (100 sq ft ) of gross floor area or part thereof included in the application devoted to any use other than a dwelling unit and the immediate area needed to serve that dwelling unit, thirteen dollars (\$13),

- (c) In the case of an application that combines dwelling units and other uses, the fee shall be the total of the amounts for each use computed separately; and
- (d) There shall be no charge for the hearing on the second-stage of a two-stage PUD application.

1601.5 In the case of an application or petition combining two (2) or more actions described in this section, the fee charged shall be the greatest of all the fees computed separately.

1601.6 If the Commission schedules a public hearing on an application for a modification to an approved PUD, air space development, prior to the advertisement of the hearing, the applicant shall pay a hearing fee equal to twenty-six percent (26%) of the original hearing fee or one thousand three hundred dollars (\$1,300), whichever is greater.

1601.7 An applicants for a modification to an approved required or voluntary design review shall pay the same hearing fee as stated in Z § 1601.6 at the time the application is filed.

**TABLE Z § 1601 – SCHEDULE OF HEARING FEES**

| <b>MAP AMENDMENT</b>                                                                                                                                                                                |                                                      |            |                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|------------|----------------|
| <b>Case Type</b>                                                                                                                                                                                    | <b>Unit</b>                                          | <b>Fee</b> | <b>Maximum</b> |
| R-1 through R-3, R-6 through R-17, or R-19 through R-21 zone                                                                                                                                        | 43,560 sq. ft. or part of that area                  | \$ 650     | \$65,000       |
| RF-1 through RF-3 zone and RA-1 or RA-6                                                                                                                                                             | 43,560 sq. ft. or part of that area                  | \$1,625    | \$65,000       |
| RA-2, RA-7, RA-8, or RC-1                                                                                                                                                                           | 43,560 sq. ft. or part of that area                  | \$3,250    | \$65,000       |
| RA-3 through RA-5, RA-9, RA-10, D-1-R, SEFC-2, SEFC-3, or CG-1 zone                                                                                                                                 | 43,560 sq. ft. or part of that area                  | \$6,500    | \$65,000       |
| MU-1, MU-2, MU-10 through MU-16, MU-22, MU-23, MU-29, D-2, SEFC-1, SEFC-4, CG4 through CG-7, and ARTS-4 zone                                                                                        | 10,000 sq. ft. or part of that area                  | \$2,600    |                |
| MU-3 through MU-6, MU-17 through MU-19, MU-24 through MU-27, NC-1 through NC-5, NC-7, NC-9 through NC-11, NC-14, NC-16, NC-17, D-4-R, CG-2, ARTS-1, ARTS-2, RC-2 and RC-3 zone                      | 10,000 sq. ft. or part of that area                  | \$1,625    |                |
| MU-7 through MU-9, MU-20, MU-21, MU-28, NC-6, NC-8, NC-12, NC-13, NC-15, D-3 through D-5, D-5-R, D-6, D-6-R, D-7, D-8, CG-3, and ARTS-3 zone                                                        | 10,000 sq. ft. or part of that area                  | \$3,250    |                |
| PDR-1 through PDR-7 zone                                                                                                                                                                            | 20,000 sq. ft. or part of that area                  | \$2,600    |                |
| <b>TEXT AMENDMENT</b>                                                                                                                                                                               |                                                      |            |                |
| <b>Case Type</b>                                                                                                                                                                                    | <b>Unit</b>                                          | <b>Fee</b> | <b>Maximum</b> |
| Each section of this title proposed to be added, deleted, or amended                                                                                                                                | Per section modified                                 | \$ 325     | \$ 1,300       |
| <b>PLANNED UNIT DEVELOPMENT OR AIR SPACE DEVELOPMENT</b>                                                                                                                                            |                                                      |            |                |
| <b>Case Type</b>                                                                                                                                                                                    | <b>Unit</b>                                          | <b>Fee</b> | <b>Maximum</b> |
| For each one hundred square feet (100 sq. ft.) of gross floor area or part thereof included in the application devoted to dwelling units, and the immediate area needed to serve that dwelling unit | 100 sq. ft. of gross floor area or part of that area | \$ 7       | \$65,000       |
| For each one hundred square feet (100 sq. ft.) of gross floor area or part thereof included in the application devoted to any use other than a dwelling unit and the immediate area needed          | 100 sq. ft. of gross floor area or part of that area | \$ 13      |                |

| <b>MAP AMENDMENT</b>                                                                                                                                     |             |                                                                  |                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|------------------------------------------------------------------|----------------|
| <b>Case Type</b>                                                                                                                                         | <b>Unit</b> | <b>Fee</b>                                                       | <b>Maximum</b> |
| to serve that dwelling unit                                                                                                                              |             |                                                                  |                |
| <b>MODIFICATION TO A PLANNED UNIT DEVELOPMENT OR AIR SPACE DEVELOPMENT</b>                                                                               |             |                                                                  |                |
| <b>Case Type</b>                                                                                                                                         | <b>Unit</b> | <b>Fee</b>                                                       | <b>Maximum</b> |
| Modification to an approved design review, PUD, air space development, or any other action where review of a specific site or building plan was required |             | 26% of the original hearing fee or \$1,300, whichever is greater |                |

**1602 WAIVER OF HEARING FEES**

- 1602.1 In the case of an application to permit the construction of a low- or moderate-income subsidized housing development, the D.C. Department of Housing and Community Development may request the Commission to waive the normal hearing fee.
- 1602.2 For the purposes of this section, the term "subsidized housing development" shall mean a housing development that is eligible to receive funding from a recognized District of Columbia or federal government housing subsidy program. Low- or moderate- income projects shall be as defined by the U.S. Department of Housing and Urban Development.
- 1602.3 The Application must be filed prior to the Commission's decision to setdown the application for a hearing.
- 1602.4 To obtain the waiver, the applicant shall file with the application the request of the D.C. Department of Housing and Community Development.
- 1602.5 The request shall certify that the proposed development meets the requirements of Z § 1602.2, and shall state why the proposed waiver should be granted.

**1603 EXEMPTION FROM FEES**

- 1603.1 A department, office, or agency of the government of the District of Columbia is not required to pay a filing or hearing fee for an application, where the property is owned by the District of Columbia or that agency or is under one or both of their jurisdictions and the property is to be used for a government building or use.
- 1603.2 The following person or entities shall not be required to pay a filing or hearing fee for a petition to amend the Zoning Map or the text of the Zoning Regulations:
- (a) A department, office, or agency of the government of the District of Columbia, including an Advisory Neighborhood Commission (ANC);
  - (b) The National Capital Planning Commission; or
  - (c) A citizens' association or association created for civic purposes that is not for profit.

**1604 MISCELLANEOUS FEES**

- 1604.1 Fees for miscellaneous zoning services and documents provided by the Office of Zoning are as prescribed in Y § 1601.

**1605 ADMINISTRATION OF FEES**

- 1605 1 The Director shall be responsible for administering, interpreting, and applying the terms of the fee schedule in Z §§ 1600 and 1601
- 1605 2 All fees shall be paid by check or money order made payable to the D C Treasurer, or by credit card where indicated by the Office of Zoning
- 1605 3 Once a filing or hearing fee has been submitted, it will not be refunded

**1606 REVIEW OF FEES**

- 1606 1 Upon the effective date of this title, and on a tri-annual basis thereafter, the Office of Zoning shall update the Commission on the status of their fees
- 1606 2 If the Office of Zoning finds that the fees should remain the same, it shall indicate its findings to the Commission
- 1606 3 If the Office of Zoning finds that the fees should be increased, then it shall submit a petition to the Commission for an increase of the fees
- 1606 4 The Commission, on its own, can propose to increase the fees at any time

Proposed amendments to the Zoning Regulations and Map of the District of Columbia are authorized pursuant to the Zoning Act of 1938, approved June 20, 1938 (52 Stat 797, D C Official Code § 6-641 01 *et seq* )

The public hearing on this case will be conducted as a rulemaking in accordance with the provisions of § 3021.

**How to participate as a witness.**

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

**Time limits.**

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning of their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail ([donna.hanousek@dc.gov](mailto:donna.hanousek@dc.gov)), or by calling (202) 727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded.

- |   |               |                |
|---|---------------|----------------|
| 1 | Organizations | 5 minutes each |
| 2 | Individuals   | 3 minutes each |

Pursuant to § 3020.3, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusion in the record. Written statements may also be submitted by mail to 441 4<sup>th</sup> Street, N.W., Suite 200-S, Washington, DC

**Z.C. NOTICE OF PUBLIC HEARING  
Z.C. CASE NO. 08-06B  
PAGE 12**

20001, by e-mail to [zcsubmissions@dc.gov](mailto:zcsubmissions@dc.gov); or by fax to (202) 727-6072 Please include the case number on your submission **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**ANTHONY J. HOOD, MARCIE I. COHEN, ROBERT E. MILLER PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.**

Anita Bonds, At Large  
Council of the District of Columbia  
1350 Pennsylvania Avenue, N.W.  
Room 110  
Washington, D.C. 20004

David Grosso, At Large  
Council of the District of Columbia  
1350 Pennsylvania Avenue, N.W.  
Room 402  
Washington, D.C. 20004

Phil Mendelson, Chair  
Council of the District of Columbia  
1350 Pennsylvania Avenue, N.W.  
Room 504  
Washington, D.C. 20004

Jack Evans – Ward 2  
Council of the District of Columbia  
1350 Pennsylvania Avenue, N.W.  
Room 106  
Washington, D.C. 20004

Vacant – Ward 4  
Council of District of Columbia  
Pennsylvania Avenue, N.W.  
Room xx  
Washington, D.C. 20004

Charles Allen – Ward 6  
Council of the District of Columbia  
1350 Pennsylvania Avenue, N.W.  
Room 406  
Washington, D.C. 20004

Vacant – Ward 8  
Council of the District of Columbia  
1350 Pennsylvania Avenue, N.W.  
Room xx  
Washington, D.C. 20004

Vincent Orange, SR. At Large  
Council of the District of Columbia  
1350 Pennsylvania Avenue, N.W.  
Room 107  
Washington, D.C. 20004

Elissa Silverman, At Large  
Council of the District of Columbia  
1350 Pennsylvania Avenue, N.W.  
Room 408  
Washington, D.C. 20004

Brianne Nadeau – Ward 1  
Council of the District of Columbia  
1350 Pennsylvania Avenue, N.W.  
Room 102  
Washington, D.C. 20004

Mary M. Cheh – Ward 3  
Council of the District of Columbia  
1350 Pennsylvania Avenue, N.W.  
Room 108  
Washington, D.C. 20004

Kenyan McDuffie – Ward 5  
Council of the District of Columbia  
1350 Pennsylvania Avenue, N.W.  
Room 506  
Washington, D.C. 20004

Yvette M. Alexander – Ward 7  
Council of the District of Columbia  
Room 400  
1350 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

ANC 1A  
Suite 200  
3400 11<sup>th</sup> Street, NW  
Washington, DC 20010

ANC 1B  
2000 14<sup>th</sup> Street NW  
Suite 100B  
Washington, DC 20009

ANC 1C  
P O. Box 21009  
Washington, DC 20009

ANC 1D  
3200 19th Street NW  
Washington, DC 20010

ANC 2A  
2020 Pennsylvania Avenue, NW #293  
Washington, DC 20006

ANC 2B  
9 DuPont Circle, NW  
Washington, DC 20036

ANC 2C  
c/o Kevin Wilsey, Chair  
P.O Box 51181  
Washington, DC, 20091

ANC 2D  
2122 California St NW  
Washington, DC 20008

ANC 2E  
3265 S Street, NW  
Washington, DC 20007

ANC 2F  
5 Thomas Circle, NW  
Washington, DC 20005

ANC 3B  
P.O. Box 32312  
Washington, DC 20007

ANC 3C  
3601 Connecticut Avenue, NW,  
Suite #L-06,  
Washington, DC 20008

ANC 3D  
P O. Box 40846  
Washington, DC 20016

ANC 3E  
c/o Lisner-Louise-Dickson-Hurt Home  
Suite 219  
5425 Western Avenue, N.W  
Washington, DC 20015

ANC 3F  
4401-A Connecticut Ave , NW - Box 244  
Washington, DC 20008

ANC 3G  
P.O. Box 6252  
Washington, DC 20015

ANC 4A  
7820 Eastern Avenue, NW  
Washington, DC 20012

ANC 4B  
6856 Eastern Ave., NW, #314  
Washington, DC 20012

ANC 4C  
P.O. Box 60847  
Washington, DC 20039-0847

ANC 4D  
143 Kennedy Street, NW  
Washington, DC 20011

ANC 5A  
5171 South Dakota Avenue NE  
Washington, DC 20017

ANC 5B\*  
c/o Michael Morrison  
1843 Monroe Street, NE  
Washington, DC 20018\*\*

ANC 5C  
P O. Box 80127  
Washington, DC 20018

ANC 5D  
c/o Kathy Henderson, Chair  
1807 L Street, NE  
Washington, DC 20002

ANC 5E  
c/o Sylvia Pinkney, Chair  
34 R Street, NE  
Washington, DC 20002

ANC 6A  
P O Box 75115  
Washington, DC 20013

ANC 6B  
921 Pennsylvania Ave., SE  
Suite 305  
Washington, DC 20003

ANC 6C  
P.O. Box 77876  
Washington, DC 20013

ANC 6D  
1101 4<sup>th</sup> Street, SW Suite W 130  
Washington, DC 20024

ANC6E  
PO Box 26182  
Washington, DC 20001

ANC 7B  
3200 S Street, SE  
Washington, DC 20020

ANC 7C  
4651 Nannie Helen Burroughs Avenue, NE  
#2  
Washington, DC 20019

ANC 7D  
4058 Minnesota Avenue, NE, DOES Building,  
First Floor  
Washington, DC 20019

ANC 7E  
5001 Hanna Place, SE  
Suite B  
Washington, DC 20019

ANC 7F  
c/o Ebony-Rose Thompson, Chair  
4562 Texas Avenue, SE  
Washington, DC 20019

ANC 8A  
2100-D M L K Jr Avenue, SE  
Washington, DC 20020

ANC 8B  
1809 Savannah St., SE Suite A  
Washington, DC 20020

ANC 8C  
c/o Mary Cuthbert, Chair  
3325 MLK Jr , Avenue, SE #12  
Washington, DC 20032

ANC 8D  
4601 M.L.K Jr. Avenue, SE  
Washington, DC 20032

ANC 8E  
1310 Southern Ave, SE (Room 047)  
Washington, DC 20032

(\*5B temp address due to fire – no office nor  
Chair as of January 20, 2015)