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ZONING COMMISSION
District of Columbia
CASE NO. 09-17A
EXHIBIT NO. 2

ZONING COMMISSION
District of Columbia
CASE NO.09-17A
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**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: **Thursday, December 3, 2009, 6:30 P.M. (1st Case)**
 Office of Zoning Hearing Room
 441 4th Street, N.W., Suite 220-South
 Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 09-17A (Text Amendments Related to Public Libraries in the R Zone District)

THIS CASE IS OF INTEREST TO ALL ANCs

On October 13, 2009, the Office of Zoning received a petition from the District of Columbia Public Library for a text to amend the Zoning Regulations as they apply to public libraries. An accompanying application for a map amendment and special exception were also received and are the subject of a separate notice of public hearing published elsewhere in this volume of the *D.C. Register*. The amendments would permit public libraries in the R-5-A and R-5-B Zone District's to achieve a maximum density of 2.0 FAR, authorize the Board of Zoning Adjustment to allow a public library in any R District to exceed matter of right lot occupancy and have less than the amount of parking spaces required, and eliminate the need for a rear yard or side yard under certain circumstances.

The Office of Planning provided its report on October 13, 2009, which serves as the petitioner's supplemental statement.

The case was set down for hearing on October 19, 2009. At that time, the Commission authorized a waiver 11 DCMR § 3014.1 to permit this hearing to be scheduled less than forty calendar days after the publication of this notice. This waiver is unrelated to the requirement under District law that the Commission is required to give affected ANCs thirty business days notice before taking final action to amend the text of the Zoning Regulations.

The proposed text of the amendments summarized above is as follows:

- A. Chapter 4, RESIDENCE DISTRICT: HEIGHT, AREA, AND DENSITY REGULATIONS, § 402, Floor Area Ratio (R), is amended as follows:
 - 1. By amending the chart appended to § 402.4 to insert specific FAR limitations for public libraries as follows:

ZONE DISTRICT AND STRUCTURE	MAXIMUM FLOOR AREA RATIO (FAR)
R-1-A, R-1-B, R-2, R-3, R-4	None prescribed
R-5-A <u>Public libraries</u> All <u>Other</u> Structures	<u>2.0</u> 0.9
R-5-B <u>Public libraries</u> All <u>Other</u> Structures	<u>2.0</u> 1.8
R-5-C All structures	3.0
R-5-D All structures	3.5
R-5-E Apartment house and hotel	6.0
Any other structure	5.0

2. By adding a new § 403.4 to read as follows:

403.4 A public library may be permitted a lot occupancy in excess of that allowed by § 403.2 if approved by the Board of Zoning Adjustment, pursuant to § 3104.1.

3. By amending § 404.3 to insert the phrase “public library” as follows:

404.3 In the case of a lot proposed to be used by a public library, public school or a public recreation center that abuts or adjoins along the rear lot line a public open space, recreation area, or reservation, the required rear yard may be reduced or omitted.

4. By adding a new § 405.10 to read as follows:

405.10 In the case of a lot in an R District proposed to be used by a public library that abuts or adjoins along one (1) or both side lot lines a public open space, recreation area, or reservation, the required side yards may be reduced or omitted.

Chapter 21, OFF-STREET PARKING REQUIREMENTS, is amended as follows.

1. Section 2104, EXCEPTIONS TO THE SCHEDULE OF REQUIREMENTS: NEAR METRORAIL STATIONS, is amended as follows:
 - (a) Subsection 2104.1 is amended by striking the phrase "Except as provided in § 2104.2."
 - (b) Subsection 2104.2 is repealed.
2. Subsection 2108.2 is amended by inserting the phrase "for a public library may be reduced by up to 100%, but for all other uses" as follows:

2108.2 The amount of required parking spaces for a public library may be reduced by up to 100%, but for all other uses shall not be reduced by more than twenty-five percent (25 %); provided, that for a use that is in the category of "All Other Uses" in the table in § 2101.1, the amount of required parking spaces shall not be reduced by more than fifty percent (50%).

- C. Chapter 34, BOARD OF ZONING ADJUSTMENT RULES OF PRACTICE AND PROCEDURE, Section 3104, Special Exceptions, is amended by inserting alphabetically the following new special exception into the chart appended to 3104.1.

TYPE OF SPECIAL EXCEPTION	ZONE DISTRICT	SECTIONS IN WHICH THE CONDITIONS ARE SPECIFIED
Public library with a lot occupancy in excess of that permitted by § 403.2.	Any R District	§ 403.4

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. The Commission will impose time limits on testimony presented to it at the public hearing.

All individuals, organizations, or associations wishing to testify in this case should file their intention to testify in writing. Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusion in the record.

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Information should be forwarded to the Secretary of the Zoning Commission, Office of Zoning, Suite 200/210-S, 441 4th Street, N.W., Washington, D.C. 20001. Please include the number of the particular case and your daytime telephone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, WILLIAM W. KEATING, III, KONRAD W. SCHLATER, PETER G. MAY, AND MICHAEL G. TURNBULL ——— ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JAMISON L. WEINBAUM, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.