

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Jennifer Steingasser, Deputy Director

DATE: October 17, 2011

SUBJECT: ZC Case Number 11-16

The Office of Planning, on behalf of the Office of the Deputy Mayor for Public Safety and Justice, respectfully submits the attached memorandum and requests the Commission approved the proposed text to permit firearm retail sales only within the Metropolitan Police Department at 300 Indiana Avenue, N.W.

I. PROPOSED TEXT

The Office of Planning (OP) recommends that the Zoning Commission take proposed action to adopt the following text amendment to DCMR, Title 11 (The Zoning Regulations), as amended from the published Notice of Proposed Rulemaking, with all advertised new text shown in **bold, underlined text**, and proposed revised text **bold and double underlined**:

1. Chapter 7 Commercial (C) District § 721 Uses As of Right (C2), by adding the following bold and underlined language:

721.3 In addition to the uses permitted in C-1 Districts by § 701.4, the following retail establishments shall be permitted in a C-2 District as a matter of right:

- (k) Firearms retail sales establishments, provided that no portion of the establishment, **other than a single establishment located operated at a District law enforcement or licensing agency, the Metropolitan Police Department at 300 Indiana Avenue, N.W.,** shall be located within three hundred feet (300 ft.) or:
- (i) A residence (R) or Special Purpose (SP) District; or
 - (ii) A church or other place of worship, public or private school, public library, or playground.

Attachment

ZONING COMMISSION
District of Columbia

CASE NO. 11-16
EXHIBIT NO. 11



GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPUTY MAYOR FOR PUBLIC SAFETY AND JUSTICE



RECEIVED
D.C. OFFICE OF ZONING
2011 OCT 11 AM 11:51

MEMORANDUM

DATE: October 7, 2011

FROM: Paul A. Quander, Jr. *PAQ*
Deputy Mayor for Public Safety and Justice

TO: District of Columbia Zoning Commission

SUBJECT: Zoning Commission Case No. 11-16, Supplemental Statement Regarding Proposed Text Amendment to Regulate Firearms Retail Sales Establishment Use.

In response to comments received by the Zoning Commission from two Advisory Neighborhood Commissions (ANCs) and from the Honorable Phil Mendelson, Councilmember At-Large, and issues raised by the Commission in its deliberations, I have asked the Office of Planning to submit this supplemental statement as part of its October 17, 2011 report in Zoning Commission Case No. 11-16.

As stated by the Office of Planning at the start of October 3, 2011 meeting, the District has decided to significantly narrow the scope of the exception to the proximity requirements of 11 DCMR § 721.3 and offers the following final text:

721.3 In addition to the uses permitted in C-1 Districts by § 701.4, the following retail establishments shall be permitted in a C-2 District as a matter of right:

- (k) Firearms retail sales establishments, provided that no portion of the establishments, other than a single establishment operated at the Metropolitan Police Department at 300 Indiana Avenue, N.W., shall be located within three hundred feet (300 ft.) of:

- (1) A residence (R) or Special Purpose (SP) District; or
- (2) A church or other place of worship, public or private school, public library, or playground.

We note that the Commission has been requested recently to expand this proceeding into a vehicle for consideration of the removal of the 300-foot requirement. We believe that it would be premature to reach a judgment on that broader issue and that this is not a matter that needs to be addressed in this proceeding. At this time it is only imperative that the limited modification that was established on an emergency basis last summer be made permanent. After the Mayor's office has an opportunity to analyze the broader issue fully, and if it concludes that there should be changes to the 300-foot requirement, we will present proposed text to you. In the meantime, we respectfully request that you complete the process started in July and adopt the text as stated above.

Thank you for your consideration in this important matter.

PAQ/ajp