

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF ZONING
441 4th STREET, N.W. SUITE 200-S/210-S
WASHINGTON, D.C. 20001
OFFICIAL BUSINESS
PENALTY FOR MISUSE



ANC 8E
1310 Southern Ave, SE (Room 51)
Washington, DC 20032

NIXIE 207 DE 1 0006/27/16
RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 20001271441 *2731-06133-27-44

2003204055 0052

ZONING COMMISSION
District of Columbia
CASE NO.14-13A
EXHIBIT NO.6

2016 JUL -1 PM 12: 35

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission**



**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING
AND
Z.C. ORDER NO. 14-13A
Z.C. Case No. 14-13A
(Text Amendment – 11 DCMR)
Technical Correction to Z.C. Order No. 14-13 (Penthouse Regulations)
May 9, 2016**

The Zoning Commission for the District of Columbia (“Commission”), 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 (2012 Repl.)), hereby gives notice of the adoption of amendments to the current and newly adopted versions of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations (DCMR)) to make technical corrections to Z.C. Order No. 14-13. Because the action was technical in nature, no public hearing was required pursuant to the Consent Calendar provisions set forth in 11 DCMR § 3030 and, for that same reason, no referral to the National Capital Planning Commission was made.

The Order, which took the form of a Notice of Final Rulemaking, adopted amendments to the currently effective version of the Zoning Regulations (“Current Regulations”) governing rooftop penthouses, as well as conforming amendments to other provisions, including the provisions of Chapter 26, INCLUSIONARY ZONING. The substance of the amendments was later included by the Commission in the version of Title 11 DCMR that will become effective on September 6, 2016 (“2016 Regulations”), which was adopted by the Commission through a Notice of Final Rulemaking published in Part II of the March 4, 2016 edition of the *District of Columbia Register*.

The first correction reinserts paragraph (f) into § 2602.3 of the Current Regulations, which the Order inadvertently omitted from its amendment to that subsection. The Order made no mention of Subtitle C § 1001.6 of the 2016 Regulations, which contains the same text as the omitted § 2602.3(f). Therefore, no amendment to Subtitle C § 1001.6 is needed.

The second correction clarifies changes to the affordable housing requirement for habitable penthouse space for a residential building, when the owner chooses to make a contribution to a housing trust fund rather than provide the affordable square footage on site, as permitted in the approved text when one (1) or more of three (3) conditions are met. This amendment is made to both § 2607.9 of the Current Regulations and Subtitle C § 1006.10 of the 2016 Regulations.