

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

**TIME AND PLACE:**    **October 5, 2026 @ 4:00 p.m.**  
Via WebEx: <https://dcoz.dc.gov/ZC26-04> (to participate & watch)  
Via Telephone: 1-650-479-3208 Access code: 2309 119 5211 (audio participation & listen)  
Via YouTube: <https://www.youtube.com/c/DCOfficeofZoning> (to watch)  
Instructions: <https://dcoz.dc.gov/release/virtual-public-hearings>  
Witness Sign Up: <https://dcoz.dc.gov/service/sign-testify>

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

**CASE NO. 26-04 (Office of Zoning – Text Amendment to Subtitles Y and Z, Chapters 2, 7, & 16)**

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

**Oral and Written Testimony**

- All who wish to testify in this case are **strongly encouraged** to sign up to do so **at least 24 hours prior to the start of the hearing** on OZ’s website indicated above. Also, see below: *How to participate as a witness – oral statements*. **On the day of the hearing – by 3:00 p.m.**, call 202-727-0789 to sign up to testify.
- All written comments and/or testimony **must** be submitted to the record **at least 24 hours prior to the start of the hearing** – see below: *How to participate as a witness – written statements*.

On April 1, 2026, the Office of Zoning (OZ) filed a petition to the Zoning Commission for the District of Columbia (Commission) proposing amendments to Title 11 of the DCMR (Zoning Regulations of 2016 [Zoning Regulations] to which all references herein refer unless otherwise specified) that would amend the Zoning Regulation’s Rules of Practice and Procedure for the Board of Zoning Adjustment (BZA) and the Commission to remove obsolete provisions and terminology and ensure alignment with current practices as well as improve the public’s ability to navigate the zoning process (Exhibit [Ex. 2]).

The proposal would make the following amendments to the Zoning Regulations:

- Update the requirements for submitting a digital file (Subtitle Y § 203.6; Subtitle Z § 203.5);
- Update the times for receiving email and Interactive Zoning Information System (IZIS) filings (Subtitle Y and Subtitle Z §§ 206.10-206.14);
- Clarify when the clock starts for scheduling BZA modifications without hearing (Subtitle Y § 703.15);
- Add that BZA owner-occupied fees apply to applications that do not involve subdivided lots (Subtitle Y § 1600.1);
- Remove the outdated references to COVID-19 time extensions and the fees for filing such (Subtitle Y & Subtitle Z, Chapters 7 & 16); and

- Add a new section for fees for required additional hearing notices (i.e., signs to post on properties) prepared by OZ (Subtitle Y § 1600.4; Subtitle Z § 1600.8).

At its April 30, 2026 public meeting, the Commission voted to set down the proposed amendments for a public hearing and authorized flexibility for OP to work with the Office of Zoning Legal Division to refine the proposed amendments and add any conforming language as necessary.

### **OP Setdown Report**

The OP Setdown Report recommended set down and stated that the proposed amendments are not substantive in nature and would improve clarity, efficiency and accessibility of the administration of zoning procedures (Ex. 5). OP also stated that the proposed amendments would not be inconsistent with the Comprehensive Plan and would advance Comprehensive Plan Implementation Element guidance encouraging agencies to continuously review their standards to improve efficiency as needed.

The complete record in the case can be viewed online at the Office of Zoning's Interactive Zoning Information System (IZIS), at [https://app.dcoz.dc.gov/Home/ViewCase?case\\_id=26-04](https://app.dcoz.dc.gov/Home/ViewCase?case_id=26-04).

## **PROPOSED TEXT AMENDMENT**

The proposed amendments to the text of the Zoning Regulations are as follows (text to be deleted is marked in ~~double strikethrough~~ text; new text is shown in **bold and underline** text).

### **I. Amendments to Subtitle Y, BOARD OF ZONING ADJUSTMENT RULES OF PRACTICE AND PROCEDURE**

**Subsection § 203.6, EVIDENCE, of Chapter 2, PUBLIC PARTICIPATION, of Subtitle Y, BOARD OF ZONING ADJUSTMENT RULES OF PRACTICE AND PROCEDURE, is amended to read as follows:**

203.6 If a video is used, ~~six (6) copies~~ **a digital copy** of the video ~~on DVD~~ shall be filed with the Board.

**Subsections §§ 206.10-206.14, SUBMITTING COMMENTS OR FILING DOCUMENTS ELECTRONICALLY OR BY E-MAIL, of Chapter 2, PUBLIC PARTICIPATION, of Subtitle Y, BOARD OF ZONING ADJUSTMENT RULES OF PRACTICE AND PROCEDURE, are amended by revising §§ 206.10 and 206.12, deleting § 206.11, and renumbering the remaining subsections to read as follows:**

206.10 All filings submitted through IZIS **and e-mail filings** sent on or before 11:59 p.m. shall be recorded as being received on the same day.

~~206.11 All e-mail filings sent between on or after 12:01 a.m. and 5:00 p.m. on any Office of Zoning business day shall be recorded on the date it was received.~~

206.112 The filing for **IZIS filings and** ~~an~~ e-mail filings received ~~between 5:01 p.m. and~~ **on or after** 12:00 a.m. shall be recorded on the next business day.

206.123 ...<sup>1</sup>

206.134 ...

**Subsections §§ 702.1-702.2 of § 702, VALIDITY OF APPROVALS AND IMPLEMENTATION, of Subtitle Y, BOARD OF ZONING ADJUSTMENT RULES OF PRACTICE AND PROCEDURE, are amended to read as follows:**

702.1 An order granting a special exception or variance where the establishment of the use is dependent upon the erection or alteration of a structure shall be valid for a period of two (2) years, or one (1) year for an Electronic Equipment Facility, within which time an application shall be filed for a building permit for the erection or alteration approved. If the erection or alteration of more than one (1) structure is approved, a building permit application shall be filed for all such structures within this two (2) year period; ~~provided that any order, including any extension other than one granted by this subsection, scheduled to expire between April 27, 2020 and December 31, 2020 shall remain valid for a single period of six (6) months from the date of expiration of the order.~~

702.2 An order granting a special exception or variance where the establishment of the use is dependent upon the erection or alteration of a structure shall be valid for a period of two (2) years, or one (1) year for an Electronic Equipment Facility, within which time an application shall be filed for a building permit for the erection or alteration approved. If the erection or alteration of more than one (1) structure is approved, a building permit application shall be filed for all such structures within this two (2) year period; ~~provided that any order, including any extension other than one granted by this subsection, scheduled to expire between April 27, 2020 and December 31, 2020 shall remain valid for a single period of six (6) months from the date of expiration of the order.~~

**Subsection § 703.15, CONSENT CALENDAR – TECHNICAL CORRECTIONS TO FINAL ORDERS AND MODIFICATIONS WITHOUT HEARINGS TO ORDERS AND PLANS, of Chapter 7, APPROVALS AND ORDERS, of Subtitle Y, BOARD OF ZONING ADJUSTMENT RULES OF PRACTICE AND PROCEDURE, is amended to read as follows:**

703.15 A request for a modification without hearing shall be filed with and accepted as complete by the Office of Zoning at least thirty-five (35) days prior to the public meeting at which the request is to be considered.

**Subsection § 705.7 of § 705, TIME EXTENSIONS, of Subtitle Y, BOARD OF ZONING ADJUSTMENT RULES OF PRACTICE AND PROCEDURE, is amended by deleting § 705.7 to read as follows:**

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<sup>1</sup> The use of this and other ellipses indicate that other provisions exist in the subsection being amended and that the omission of the provisions does not signify an intent to repeal.

~~705.7 For an order scheduled to expire between October 27, 2020 and June 30, 2022, an applicant may request an extension due to the complications from the COVID-19 pandemic by filing an application with the Director prior to the expiration of the order sought to be extended, which shall be extended administratively by the Director upon payment of the fee specified in Subtitle Y § 1600.1 and Table Y § 1600.~~

Subsection 1600.1 amended, new § 1600.4 is added, and Table Y § 1600 is amended of § 1600, FILING FEES, of Chapter 16, FEES, of Subtitle Y, BOARD OF ZONING ADJUSTMENT RULES OF PRACTICE AND PROCEDURE, is proposed to read as follows:

1600.1 Except as provided in Subtitle Y §§ 1600.2 and 1600.3...

...

(d) Owner-occupied, single dwelling unit or flat **not involving a subdivided lot**, regardless of the number of variances, special exceptions, or alternatives requested, three hundred twenty-five dollars (\$325); and

(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 single dwelling unit or flat **not involving a subdivided lot**, one hundred thirty dollars (\$130); for all other applicants, twenty-six percent (26%) of the original filing fee; ~~except that:~~

~~(1) A six (6) month time extension pursuant to Subtitle Y § 705.7 due to COVID-19 shall be fifty dollars (\$50) for an owner-occupied single dwelling unit or flat and five hundred twenty dollars (\$520) for all other applicants; and~~

~~(2) A one (1) year time extension pursuant to Subtitle Y § 705.7 due to COVID-19 shall be one hundred dollars (\$100) for an owner-occupied single dwelling unit or flat and one thousand dollars (\$1,000) for all other applicants.~~

...

**1600.4 Pursuant to Subtitle Y § 402.6, the Director shall supply up to ten (10) hearing notices for posting the property. The fee for said hearing notices shall be twenty-five dollars (\$25), which must be paid prior to scheduling of the hearing. If required, additional signs may be requested at a fee of five dollars (\$5) per sign. There shall be no cost for owner-occupied properties that do not involve subdivided lots.**

| TABLE Y § 1600 – SCHEDULE OF FILING FEES |      |     |         |
|------------------------------------------|------|-----|---------|
| SPECIAL EXCEPTIONS                       |      |     |         |
| Case Type                                | Unit | Fee | Maximum |
| ...                                      |      |     |         |

| TABLE Y § 1600 – SCHEDULE OF FILING FEES                                                                                           |      |                                |         |
|------------------------------------------------------------------------------------------------------------------------------------|------|--------------------------------|---------|
| SPECIAL EXCEPTIONS                                                                                                                 |      |                                |         |
| Case Type                                                                                                                          | Unit | Fee                            | Maximum |
| <del>Time extension/<del>minor and non-minor</del> modifications <u>with and without hearing</u> (<del>owner-occupied</del>)</del> |      |                                |         |
| <del>• 6 month extension pursuant to Subtitle Z § 705.7 due to COVID-19</del>                                                      |      | <del>\$50</del>                |         |
| <del>• 1 year extension pursuant to Subtitle Z § 705.7 due to COVID-19</del>                                                       |      | <del>\$100</del>               |         |
| <del>• All other extensions/<del>minor and non-minor</del> modifications</del>                                                     |      | <del>\$130</del>               |         |
| <del>Time extension/modification with or without hearing (<del>owner-occupied</del>)</del>                                         |      |                                |         |
| <del>• 6 month extension pursuant to Subtitle Z § 705.7 due to COVID-19</del>                                                      |      | <del>\$500</del>               |         |
| <del>• 1 year extension pursuant to Subtitle Z § 705.7 due to COVID-19</del>                                                       |      | <del>\$1,000</del>             |         |
| • <u>Owner-occupied, not involving subdivided lot(s)</u>                                                                           |      | <u>\$130</u>                   |         |
| • All other extensions/modifications with or without hearing                                                                       |      | 26% of the original filing fee |         |
| ...                                                                                                                                |      |                                |         |
| <b>HEARING NOTICES (POSTING SIGNS)</b>                                                                                             |      |                                |         |
| <u>Up to 10 notices (signs) per application</u>                                                                                    |      |                                |         |
| • <u>Owner-occupied, not involving subdivided lots</u>                                                                             |      | <u>N/A</u>                     |         |
| • <u>All other applicants</u>                                                                                                      |      | <u>\$25</u>                    |         |
| • <u>Additional signs (per sign)</u>                                                                                               |      | <u>\$ 5</u>                    |         |

## II. Amendments to Subtitle Z. ZONING COMMISSION RULES OF PRACTICE AND PROCEDURE

Subsection § 203.5, EVIDENCE, of Chapter 2, PUBLIC PARTICIPATION, of Subtitle Z, ZONING COMMISSION RULES OF PRACTICE AND PROCEDURE, is amended to read as follows:

203.5 If a video is used, ~~six (6) copies~~ a digital copy of the video ~~on DVD~~ shall be filed with the Commission.

Subsections §§ 206.10-206.14, SUBMITTING COMMENTS OR FILING DOCUMENTS ELECTRONICALLY OR BY E-MAIL, of Chapter 2, PUBLIC PARTICIPATION, of Subtitle Z, ZONING COMMISSION RULES OF PRACTICE AND PROCEDURE, are amended by revising §§ 206.10 and 206.12, deleting § 206.11, and renumbering the remaining subsections to read as follows:

206.10 All filings submitted through IZIS ~~and e-mail sent~~ and received on or before 11:59 p.m. shall be recorded as being received on the same day.

~~206.11 All e-mail filings sent between on or after 12:01 a.m. and 5:00 p.m. on any Office of Zoning business day shall be recorded on the date it was received.~~

206.1~~2~~ The filing date for IZIS and an e-mail filings received ~~between 5:01 p.m. and~~ on or after 12:00 ~~ap~~ p.m. shall be recorded on the next business day.

206.1~~23~~ ...<sup>2</sup>

206.1~~34~~ ...

Subsections §§ 702.1-702.3 of § 702, VALIDITY OF APPROVALS AND IMPLEMENTATION, of Subtitle Z, ZONING COMMISSION RULES OF PRACTICE AND PROCEDURE, are amended to read as follows:

702.1 A first-stage approval of a planned unit development (PUD) by the Commission shall be valid for a period of one (1) year, unless a longer period is established by the Commission at that time of approval; ~~provided that any approval, including any extension other than one granted by this subsection, scheduled to expire between April 27, 2020 and December 31, 2020, shall remain valid for a single period of six (6) months from the date of expiration of the approval.~~

702.2 A contested case approval by the Commission shall be valid for a period of two (2) years from the effective date of the order granting the application, unless a longer period is established by the Commission at the time of approval, within which time an application shall be filed for a building permit; ~~provided that any approval, including any extension other than one granted by this subsection, scheduled to expire between April 27, 2020 and December 31, 2020 (including any campus plan approval, whether approved under the BZA or Zoning Commission rules of procedure), shall remain valid for a single period of six (6) months from the date of expiration of the approval.~~

702.3 Construction shall start within three (3) years after the effective date of the order granting the application, unless a longer period is established by the Commission at the time of approval; ~~provided that any such construction deadline, including by any extension other than one granted by this subsection, scheduled to expire between April 27, 2020 and December 31, 2020, shall be extended by a single period of six (6) months.~~

Subsections §§ 705.4-705.5, and 705.9, of § 705, TIME EXTENSIONS, of Subtitle Z, ZONING COMMISSION RULES OF PRACTICE AND PROCEDURE, are amended by revising §§ 705.4-705.5 and deleting § 705.9 to read as follows:

705.4 Only one (1) extension, not including any granted due to the COVID-19 pandemic ~~under Subtitle Z §§ 702.1-702.3 or 705.9~~, may be requested for a design review development approval.

705.5 An applicant with an approved PUD may request no more than two (2) extensions, not including any granted due to the COVID-19 pandemic ~~under Subtitle Z §§ 702.1-702.3 or 705.9~~. The second extension for an extension may be approved for no more than one (1) year.

...

~~705.9 For an order scheduled to expire between October 27, 2020 and June 30, 2022, an applicant may request an extension due to the complications from the COVID-19 pandemic by filing an application with the Director prior to the expiration of the~~

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<sup>2</sup> The use of this and other ellipses indicate that other provisions exist in the subsection being amended and that the omission of the provisions does not signify an intent to repeal.

~~order sought to be extended, which shall be extended administratively by the Director upon payment of the fee specified in Subtitle Z § 1600.10 and Table Z § 1600.~~

Subsection 1600.1 and Table Z § 1600 of § 1600, FILING FEES, of Chapter 16, FEES, of Subtitle Z, ZONING COMMISSION RULES OF PRACTICE AND PROCEDURE, is proposed to be amended, to read as follows:

- 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 ~~as follows:~~
- ~~(a) Six (6) month time extension pursuant to Subtitle Z § 705.9 due to COVID-19 – five hundred twenty dollars (\$520);~~
  - ~~(b) One (1) year time extension pursuant to Subtitle Z § 705.9 due to COVID-19 – one thousand dollars (\$1,000); or~~
  - ~~(c) All other time extensions~~ of the greater of one thousand, five hundred dollars (\$1,500) or ten percent (10%) of the original hearing fee, up to a maximum of five thousand dollars (\$5,000).

| TABLE Z § 1600 – SCHEDULE OF FILING FEES                                                                               |                                                           |              |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|--------------|
| CASE TYPE                                                                                                              | FEE                                                       | MAXIMUM      |
| ...                                                                                                                    |                                                           |              |
| <del>Time extension to the validity of an order for an approved design review or PUD</del>                             |                                                           |              |
| <del>• 6 month extension pursuant to Subtitle Z § 705.9 due to COVID-19</del>                                          | <del>\$520</del>                                          | <del>-</del> |
| <del>• 1 year extension pursuant to Subtitle Z § 705.9 due to COVID-19</del>                                           | <del>\$1,000</del>                                        | <del>-</del> |
| <u>Time extension to the validity of an order for an approved design review or PUD</u> <del>All other extensions</del> | The greater of \$1,500 or 10% of the original hearing fee | \$5,000      |
| ...                                                                                                                    |                                                           |              |

Add a new subsection 1601.8 and amend Table Z § 1601 of § 1601, HEARING FEES, of Chapter 16, FEES, of Subtitle Z, ZONING COMMISSION RULES OF PRACTICE AND PROCEDURE, is proposed to be amended, to read as follows:

- 1601.8 Pursuant to Subtitle Z § 402.6, the Director shall supply up to ten (10) hearing notices for posting the property. The fee for said hearing notices shall be one hundred dollars (\$100), which shall be paid prior to scheduling of the hearing. If required, additional signs may be requested at a fee of five dollars (\$5) per sign.**

| TABLE Z § 1600 – SCHEDULE OF HEARING FEES         |              |         |
|---------------------------------------------------|--------------|---------|
| CASE TYPE                                         | FEE          | MAXIMUM |
| ...                                               |              |         |
| <u>Additional Hearing Notices (Posting Signs)</u> |              |         |
| • Up to 10 signs                                  | <u>\$100</u> |         |
| • Each additional sign over 10 (cost per sign)    | <u>\$ 5</u>  |         |

This public hearing will be conducted in accordance with the rulemaking provisions of Subtitle Z, Chapter 5, of the Zoning Regulations.

**How to participate as a witness – oral presentation**

Interested persons or representatives of organizations may be heard at the virtual public hearing. All individuals, organizations, or associations wishing to testify in this case are **strongly encouraged to sign up to testify at least 24 hours prior to the start of the hearing** on OZ's website at <https://dcoz.dc.gov/> or by calling Ella Ackerman at (202) 727-0789 in order to ensure the success of the new virtual public hearing procedures.

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 Commission must base its decision on the record before them. 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 |

**How to participate as a witness - written statements**

Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record, provided that **all written comments and/or testimony must be submitted to the record at least 24 hours prior to the start of the hearing**, unless approved by the Commission upon request to be introduced at the public hearing. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by e-mail to [zcsubmissions@dc.gov](mailto:zcsubmissions@dc.gov). Please include the case number on your submission. If you are unable to use either of these means of submission, please contact Ella Ackerman at (202) 727-0789 for further assistance.

**"Great weight" to written report of ANC**

Subtitle Z § 505.1 provides that the written report of an affected ANC shall be given great weight if received at any time prior to the date of a Commission meeting to consider final action, including any continuation thereof on the petition, and sets forth the information that the report must contain. Pursuant to Subtitle Z § 505.2, an ANC that wishes for oral testimony of the ANC representative to be given great weight must file a written report approved by the ANC in support of the testimony within seven days of the public hearing.

**FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**ANTHONY J. HOOD, ROBERT E. MILLER, GWEN MARCUS WRIGHT, TAMMY STIDHAM, AND JOSEPH S. IMAMURA ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.**



**Do you need assistance to participate?** If you need special accommodations or need language assistance services (translation or interpretation), please contact Zee Hill at (202) 727-0312 or [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) five days in advance of the meeting. These services will be provided free of charge.

**¿Necesita ayuda para participar?** Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

**Avez-vous besoin d'assistance pour pouvoir participer?** Si vous avez besoin d'aménagements spéciaux ou d'une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

**참여하시는데 도움이 필요하세요?** 특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312 로 전화 하시거나 [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

**您需要有人帮助参加活动吗?** 如果您需要特殊便利设施或语言协助服务(翻译或口译),请在见面之前提前五天与 Zee Hill 联系,电话号码 (202) 727-0312, 电子邮件 [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) 这些是免费提供的服务。

**Quý vị có cần trợ giúp gì để tham gia không?** Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

**ለመሳተፍ ዕርዳታ ያስፈልግዎታል?** የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም) ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) ይገናኙ። እነዚህ አገልግሎቶች የሚሰጡት በነጻ ነው።