

Case No.	Status	Category	Description	Date	Time
6334020	Published	Notices, Opinions	Zoning Adjustment, Board of - Case No. 19103 - TPC 5th & I Partners LLC - ANC 6E - Order	12/23/2016	12/22/2016 17:59:02
6335572	Published	Notices, Opinions	Zoning Adjustment, Board of - Case No. 19381 - District of Columbia Public Schools - ANC 4A - Order	12/23/2016	12/22/2016 17:59:02
6309188	Published	Public Hearing	Zoning Commission - Notice of Public Hearing - Case No. 16-23 - Valor Development, LLC	12/16/2016	12/16/2016 10:45:16
6316366	Published	Notices, Opinions	Zoning Adjustment, Board of - Case No. 19372 - Glenn Counts - ANC 6E - Order	12/16/2016	12/16/2016 10:45:16
6316463	Published	Notices, Opinions	Zoning Commission - Case No. 16-27 - 251 Massachusetts Avenue, LLC - Notice of Filing	12/16/2016	12/16/2016 10:45:16
6316948	Published	Notices, Opinions	Zoning Adjustment, Board of - Case No. 19373 - Stephen Babatunde - ANC 1B - Order	12/16/2016	12/16/2016 10:45:16
6317336	Published	Notices, Opinions	Zoning Adjustment, Board of - Case No. 19366 - Residence Panache Condominium Unit Owners' Association - ANC 1C - Order	12/16/2016	12/16/2016 10:45:16
<u>6318015</u>	Published	Proposed Rulemaking	Zoning Commission Notice of Proposed Rulemaking: Case No. 04-33G (Text Amendment - 11 DCMR: Location of Inclusionary Units in Inclusionary Developments Subject to 11-C DCMR § 1001.4)	12/16/2016	12/16/2016 10:45:16
6318209	Published	Final Rulemaking	Zoning Commission Notice of Final Rulemaking & Order No. 04-33G: Text Amendment - Inclusionary Zoning - Amendments to 11-B DCMR Section 100	12/16/2016	12/16/2016 10:45:16
6318306	Published	Final Rulemaking	Zoning Commission Notice of Final Rulemaking & Order No. 04-33G: Text Amendment - Inclusionary Zoning - Amendments to 11-C DCMR Chapter 10	12/16/2016	12/16/2016 10:45:16
6318403	Published	Final Rulemaking	Zoning Commission Notice of Final Rulemaking & Order No. 04-33G: Text Amendment - Inclusionary Zoning - Amendments to 11-I DCMR Section 802	12/16/2016	12/16/2016 10:45:16

1 2 3 4 5 6 7 8 9 10 ...

ZONING COMMISSION
 District of Columbia

CASE NO. 04-33G

EXHIBIT NO. 255

ZONING COMMISSION
 District of Columbia
 CASE NO. 04-33G
 EXHIBIT NO. 255

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED RULEMAKING

Z.C. Case No. 04-33G

(Text Amendment – 11 DCMR)

(Location of Inclusionary Units in Inclusionary Developments

Subject to 11-C DCMR § 1001.4)

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 its intent to amend Subtitle C (General Rules) of Title 11 (Zoning Regulations of 2016) of the District of Columbia Municipal Regulations (DCMR).

The Inclusionary Zoning (IZ) Regulations contained in Chapter 10 of Title 11-C DCMR establish mandatory affordable housing requirements for developments subject to its provisions, while also granting bonus density and providing for modifications to certain development standards. Paragraph 1001.2 (b) of Chapter 10 subjects developments located in the zone districts identified in Paragraph 1002.1 (a) to IZ if the development is proposing to add new gross floor area that would result in ten (10) or more dwelling units. Subsection 1001.4 further provides that if the new gross floor area comprising ten (10) or more units would result in an increase of fifty percent (50%) or more in the floor area of an existing building, IZ applies to both the existing and the increased gross floor area.

Dwelling units resulting from IZ are defined by 11-B DCMR § 100.2 as “inclusionary units.” The development standards for inclusionary units are set forth in § 1005 of Subtitle C. The proposed amendment would add a new § 1005.6 to allow inclusionary units in developments subject to § 1001.4 to be located solely in the new addition provided all the existing units were occupied at the application for the addition's building permit and all other requirements of Chapter 10 are met.

The text of this amendment was advertised in the notice of public hearing for this case, but was inadvertently omitted from the notice of proposed rulemaking published in the *D.C. Register* on September 9, 2016, at 63 DCR 11434. When the Commission took final action on the proposed amendments, it authorized the publication of this notice of proposed rulemaking.

Final rulemaking action shall be taken not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

The following amendments to Title 11 DCMR are proposed:

Chapter 10, INCLUSIONARY ZONING, of Title 11-C DCMR, GENERAL RULES, § 1005, DEVELOPMENT STANDARDS REGARDING INCLUSIONARY UNITS, is amended by adding a new § 1005.6 to read as follows:

1005.6 In an inclusionary development subject to § 1001.4 of Subtitle C, inclusionary units may be located solely in the new addition provided all the existing units were occupied at the application for the addition's building permit and all other requirements of this chapter are met.

All persons desiring to comment on the subject matter of this proposed rulemaking action should file comments in writing no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with Sharon Schellin, Secretary to the Zoning Commission, Office of Zoning, through the Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001; by e-mail to zcsubmissions@dc.gov; or by fax to (202) 727-6072. Ms. Schellin may be contacted by telephone at (202) 727-6311 or by email at Sharon.Schellin@dc.gov. Copies of this proposed rulemaking action may be obtained at cost by writing to the above address.