

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

TIME AND PLACE: **Monday, December 3, 2018, @ 6:30 p.m.**
Jerrily R. Kress Memorial Hearing Room
441 4th Street, N.W., Suite 220-South
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 12-08B (Text Amendment to Subtitles K §§ 603, 612, 613 & 614 (StE Zones))

THIS CASE IS OF INTEREST TO ALL ANCs

On September 7, 2018, the Office of Zoning (OZ) received a report that served as a petition from the District of Columbia Office of Planning (“OP”) proposing text amendments to Subtitle K §§ 603, 612, and 613¹ of Title 11 DCMR (Zoning Regulations of 2016). The text amendments would impose height limits for buildings within the StE-2 zone, allow emergency shelter uses as a matter-of-right within the StE-2 zone only, and substitute the correct “Medical Care” Use Category for the incorrect current “Health Care” as one of the use categories permitted in all StE zones. On September 17, 2018, the Commission voted to set down the petition for a public hearing. The OP set down report served as a pre-hearing filing.

The following amendments to Title 11 DCMR are proposed (text to be deleted is marked with ~~strikethrough~~ text and new text is shown in **bold** and underlined text):

1. Amend Subtitle K § 603.1 as follows:

603 HEIGHT (STE)

603.1 The maximum permitted building height, not including the penthouse, as well as the maximum permitted penthouse height and number of stories, in the StE zones shall be given in the following table:

TABLE K § 603.1: MAXIMUM PERMITTED BUILDING HEIGHT, PENTHOUSE HEIGHT, AND PENTHOUSE STORIES

| Zone District | Maximum Building Height (Feet.) | Maximum Penthouse Height | Maximum Penthouse Stories |
|----------------------|--|---|---|
| StE-1 | ... ² | | |
| StE-2 | <u>Subtitle K § 603.3</u> | 12 ft. except 18 ft. 6 in. for penthouse mechanical space | 1; Second story permitted for penthouse mechanical space |

¹ After consultation with the Office of the Attorney General, § 614 was added for legal sufficiency.

² This ellipse signifies that other paragraphs exist in § 502.1 and that the omission of those paragraphs does not signify an intent to repeal.

2. *Add a new Subtitle K § 603.3 as follows:*

603.3 **The maximum permitted building height, not including the penthouse, for any portion of a building shall be based on the building’s distance from the property line along Martin Luther King, Jr. Avenue as follows:**

- (a) **For a distance of two-hundred thirty feet (230 ft.) or less, the maximum permitted building height, not including the penthouse, shall be forty feet (40 ft.);**

- (b) **For a distance of more than two-hundred thirty feet (230 ft.) and less than five hundred sixty feet (560 ft.), the maximum permitted building height, not including the penthouse, shall be eighty feet (80 ft.); and**

- (c) **For a distance of five hundred sixty feet (560 ft.) or more, the maximum permitted building height, not including the penthouse, shall be ninety feet (90 ft.).**

3. *Amend Subtitle K § 612.1 as follows:*

612.1 The following ~~uses~~ **use** categories shall be permitted as a matter of right in all of the StE zones, except as limited in Subtitle K §§ 613 and 614, or if specifically prohibited by Subtitle K § 615:

...

(m) ~~Health Care~~ **Medical Care**;

4. *Add a new Subtitle K § 613.3:*

613 **USE LIMITATIONS (STE)**

...

613.3 **Within the StE-2 zone, emergency shelter uses for more than four (4) persons shall be permitted as a matter-of-right.**

5. *Amend Subtitle K § 614.1 as follows:*

614 **USES PERMITTED BY SPECIAL EXCEPTION (STE)**

614.1 The uses in this section shall be permitted in the StE zones as a special exception if approved by the Board of Zoning Adjustment pursuant to the

general standards of Subtitle X, the criteria set forth in Subtitle K § 615.2, and subject to applicable conditions of each section as stated below:

- (a) **Except as provided in Subtitle K § 613.3 for the StE-2 zone, emergency Emergency** shelter **uses** for five (5) to fifteen (15) persons, not including resident supervisors or staff and their families, subject to the following conditions:

...

Proposed amendments to the Zoning Regulations of the District of Columbia are authorized pursuant to the Zoning Act of June 20, 1938, (52 Stat. 797), as amended, D.C. Official Code § 6-641.01, *et seq.*

This public hearing will be conducted in accordance with the rulemaking case provisions of the Zoning Regulations, 11 DCMR Subtitle Z, Chapter 5.

How to participate as a witness.

Interested persons or representatives of organizations may be heard at the public hearing. 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 applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail (donna.hanousek@dc.gov), or by calling (202) 727-0789.

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 |

The Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <http://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, DC 20001; by e-mail to zcsubmissions@dc.gov; or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, ROBERT E. MILLER, PETER SHAPIRO, PETER G. MAY, AND MICHAEL G. TURNBULL ----- 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 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 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 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 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 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 trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

ለሙሳተፍ ዕርዳታ ያስፈልግዎታል? የተለየ እርዳታ ከስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም) ከስፈለገዎት እባክዎን ከስተባባሪው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እንኳ አገልግሎቶች የሚሰጡት በነጻ ነው።