

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
NOTICE OF PROPOSED RULEMAKING**

**Z.C. Case No. 18-04**

**Office of Planning**

**(Text Amendment to Subtitle A §§ 209.2 and 301.3 to Permit the Construction  
of Playing Fields and Accessory Structures at RFK)**

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 Rep1.)), hereby gives notice of its intent to amend Subtitle A (AUTHORITY AND APPLICABILITY), of Title 11 (Zoning Regulations of 2016) of the District of Columbia Municipal Regulations (DCMR).

The proposed text amendments would permit the construction of three athletic playing fields and associated accessory structures on unzoned land located next to the Robert F. Kennedy Memorial Stadium. The amendments would also provide for Commission design review of an unenclosed pavilion structure adjacent to the fields.

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 (Zoning Regulations of 2016) are proposed (additions are shown in **bold underlined** text and deletions are shown in ~~strikethrough~~ text):

**Subsection 209.2, of § 209, RESTRICTIONS ON UNZONED LAND, of Chapter 2, ADMINISTRATIVE AND ZONING REGULATIONS, of Subtitle A, AUTHORITY AND APPLICABILITY, is amended as follows:**

209.2 Nothing in this chapter shall prevent the following:

- (a) Minor repairs and alterations to buildings and structures for which no building permit is required under the D.C. Construction Code Supplements; ~~or~~
- (b) A caretaker from residing on property formerly owned by the Government of the United States, or property in the Central Area formerly owned by the government of the District of Columbia, for which zoning has not been designated, for the purpose of maintaining and preventing the deterioration of the premises; ~~or~~
- (c) Installation and use of playing fields and associated accessory structures to support such fields on the unzoned property comprising and abutting the Robert F. Kennedy Memorial Stadium, more specifically known as Parcel 149, Lots 65 and 66, subject to the following:**
  - (i) Three (3) accessory structures shall be permitted: a visitor building, a storage building, and restroom facilities. Each**

**permitted accessory structure shall not exceed a maximum height of twenty feet (20 ft.) and one (1) story, and a maximum gross floor area of one thousand square feet (1,000 sq. ft.); and**

- (ii) In addition to the three (3) accessory structures listed in § 209.2(c)(i), an unenclosed pavilion shall be permitted and used provided the Zoning Commission finds that said structure, as designed, meets the standards of Subtitle X, Chapter 6 other than § 604.8. The pavilion shall be either covered or uncovered, and have no greater than a six thousand square foot (6,000 sq. ft.) footprint. If covered, a canopy no greater than thirty feet (30 ft.) in height may be installed.**

**Subsection 301.3, of § 301, BUILDING PERMITS, of Chapter 3, ADMINISTRATION AND ENFORCEMENT, of Subtitle A, AUTHORITY AND APPLICABILITY, is amended as follows:**

301.3 Except as provided in the building lot control regulations for Residence Districts in Subtitle C and § 5 of An Act to amend an Act of Congress approved March 2, 1893, entitled “An Act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities,” and for other purposes, approved June 28, 1898 (30 Stat. 519, 520, as amended; D.C. Official Code § 9-101.05, a building permit shall not be issued for the proposed erection, construction, or conversion of any principal structure, or for any addition to any principal structure, unless the land for the proposed erection, construction, or conversion has been divided so that each structure will be on a separate lot of record; except a building permit may be issued for:

- (a) Buildings and structures related to a fixed right-of-way mass transit system approved by the Council of the District of Columbia;
- (b) Boathouse, yacht club, or marina that fronts on a public body of water, is otherwise surrounded by public park land, and is zoned MU-11;
- (c) Any combination of commercial occupancies separated in their entirety, erected, or maintained in a single ownership shall be considered as one (1) structure;
- (d) Trapeze school and aerial performing arts center to be constructed pursuant to Subtitle K;
- (e) A structure in the USN zone to be constructed on an air rights lot that is not a lot of record; ~~and~~

- (f) Buildings and structures approved as part of a campus or private school plan or medical campus plan; **and**
- (g) **Playing fields and associated accessory structures to support such fields and, if permitted by the Zoning Commission, an unenclosed pavilion, on the unzoned property comprising and abutting the Robert F. Kennedy Memorial Stadium, subject to Subtitle A § 209.2(c).**

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 4<sup>th</sup> Street, N.W., Suite 200-S, Washington, D.C. 20001; by e-mail to [zcsubmissions@dc.gov](mailto: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](mailto:Sharon.Schellin@dc.gov). Copies of this proposed rulemaking action may be obtained at cost by writing to the above address.