

OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

ERRATA NOTICE

The Administrator of the Office of Documents and Administrative Issuances (ODAI), pursuant to the authority set forth in Section 309 of the District of Columbia Administrative Procedure Act, approved October 21, 1968, as amended (82 Stat. 1203; D.C. Official Code § 2-559 (2016 Repl.)), hereby gives notice of a correction to the Notice of Final Rulemaking and Zoning Commission Order No. 20-10, issued by the Zoning Commission of the District of Columbia and published in the *D.C. Register* on October 16, 2020, at 67 DCR 11964, *et seq.*

The final rulemaking amended Subtitle U (Use Permissions) of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations (DCMR), Zoning Regulations of 2016).

Among other changes, the final rulemaking revised Subtitle U § 516.1 to reorder paragraphs alphabetically and correcting a cross-reference. The final rulemaking inadvertently suggested the removal of paragraph (h) allowing special exception relief for most uses allowed as a matter of right for MU-Use Group F but not meeting the matter of right conditions.

Therefore, the final rulemaking is corrected to amend Subtitle U § 516.1 to clarify that paragraph (h) is not to be deleted and correcting paragraphs (b) and (g) to reflect the alphabetical reordering, to read as follows (the corrections to the final rulemaking are made below, with additions are shown in **bold and underline**; deletions are shown in ~~**bold and strikethrough**~~):

Amendment to Subtitle U, USE PERMISSIONS

Subsection 516.1 of § 516, SPECIAL EXCEPTION USES (MU-GROUP F), of Chapter 5, USE PERMISSIONS MIXED USE (MU) ZONES, of Subtitle U, USE PERMISSIONS, is amended by correcting the cross-reference to read as follows:

516.1 The following uses in this section shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, subject to the provisions of this section:

- (a) An Electronic Equipment Facility (EEF) ...¹
- (b) Where not permitted as a matter of right, a gasoline service station to be established or enlarged ... subject to the following conditions:
 - (1) The station shall not ...
 - (2) The operation of the use ...

¹ The uses of this and other ellipses indicate that other provisions exist in the subsection being amended and that the amendment of the provisions does not signify an intent to repeal.

- (3) Required parking spaces may be arranged ... without moving any other vehicle onto public space; **and**
- (c) Enlargement of an existing laundry or dry cleaning establishment ...
- (d) Where not permitted as a matter of right, any establishment that has as a principal use the administration of massages ...
- (e) Public utility pumping station ...
- (f) Retail, large format, subject to the conditions of Subtitle U § 511.1(h); and
- (g) Sexually-oriented business establishment in the MU-9, MU-21, or MU-30 zone, subject to the following conditions:
 - (1) No portion of the establishment ...
 - ...
 - (7) The establishment shall not have an adverse impact on religious, educational, or governmental facilities located in the area; **and**
- (h) Any use permitted as a matter of right in MU-Use Group F that does not comply with the required conditions for MU-Use Group F may apply for permissions as a special exception, except firearms retail sales establishments.**

These corrections by this Errata Notice to the Notice of Final Rulemaking is non-substantive in nature and does not alter the intent, application, or purpose of the proposed rules. The rules are effective upon the original publication date of the Notice of Final Rulemaking of October 16, 2020.

Any questions or comments regarding this notice shall be addressed by mail to Victor L. Reid, Esq. Administrator, Office of Documents & Administrative Issuances, 441 4th Street, N.W., Suite 520S, Washington, D.C. 20001, email at victor.reid@dc.gov, or via telephone at (202) 727-5090.